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Modest and humble

# INQUIRY

Concerning the

## Right and Power

OF

Electing and Calling Ministers to  
vacant Churches.

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*The Election of a Minister must not be made in the Presence of those who are in the Rank of Hearers. Counc. Lod. C. 5. It is not to be left to the Multitudes to make the Elections of those who are to be ordained to the Priesthood. Ib. Can. 13. It is abundantly evident from the History of the New Testament, and Paul's Epistles, that the Apostles, and apostolical Men, did design and elect Pastors to the several Churches, and did ordain and instal them in their Office: But it is not so plain, that the Names of those who were elected were to be proposed to the Church, either to be approven or disapproven, neither can ye gather it from any certain or plausible Argument.*

Vitring. de Synag. Vet. Par. 1. l. 3. C. 14. p. 820.

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By a Minister of the Church of Scotland.

EDINBURGH.

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THE HISTORY OF

THE CITY OF

NEW YORK

FROM THE FIRST SETTLEMENT TO THE PRESENT TIME

BY J. C. COVIL

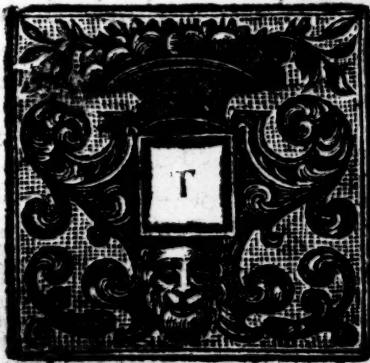
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THE HISTORY OF THE CITY OF NEW YORK

FROM THE FIRST SETTLEMENT TO THE PRESENT TIME



A modest and humble IN-  
QUIRY concerning the  
Right and Power of elec-  
ting and calling Ministers  
to vacant Churches.



**T**HAT no Man ought to in-  
trude into the Office of the  
Holy Ministry, or assume to  
himself the sacred Authori-  
ty of dispensing the Things  
of God to others, without a  
lawful Vocation and Missi-  
on, will be acknowledged by  
all who believe the Books  
of the New Testament to be  
the Word of God: The A-  
postle *Paul* shows this by an elegant and emphatical  
Interrogation, *Rom. x. 15. How shall they bear with-  
out a Preacher? And how shall they preach except  
they be sent? To the same Purpose he says, Heb. v.  
4. And no Man taketh this Honour to himself, but*

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be



*be that is called of God as was Aaron.* If every Person who fancies himself to be sufficiently gifted and qualified for this Function, might usurp it, an open Door would be made to introduce all Manner of Confusion and Disorder; and at this Breach a Contempt and Loathing of the publick Worship of God would quickly follow after.

Now there have been two Ways, by which God hath called Men to officiate in holy Things, either immediately, as the Prophets under the Old Testament, and the Apostles under the New, or mediately by Men, who have Authority from the Lord Jesus Christ, and who is *given to be Head over all Things to the Church*, to separate and ordain others to this Work: For though a Person may be qualified for it, and have a strong Inclination after it, accompanied with a sincere Intention of advancing the Honour of God, and promoting the Happiness and everlasting concerns of his fellow-reasonable Creatures; yet the competency of that Qualification must not be left to the Judgment of every Man for himself: But this must be referred and submitted to the Judgment of a due Number of these that are in Office, as the most proper and able Judges, and are authorized to set apart such as they find so qualified for the Ministry.

But the Persons thus found qualified being to be fixed to particular Charges, or certain companies of Christians that assemble ordinarily together for the publick Worship of God, it has been generally asserted, that it is necessary that such be called and invited by such Societies to take upon them the Oversight of their Souls, preach the Gospel, and dispense all Gospel ordinances to them; and that all the Members of these particular churches have a Divine Right, either natural to them as Men, or purchased by Jesus Christ, to elect and chuse, by Suffrage and Votes, their own Pastor; and that this belongs to them alone: This is loudly said to be a *Presbyterian*

*rian* Principle, a Principle of the church of *Scotland*, and a Reformation-principle; and this is contended for in our Days with great Warmth and keen Zeal, in Opposition to an Act and Overture of the last Assembly, concerning the Method of planting vacant churches; by which Act it is declared, that the planting of these Parishes that shall fall into the Hands of Presbyteries *tanquam jure devoluto*, shall be by the Heritors, being *Protestants*, and the Elders who represent the People. And in Burghs where there is a Landward-parish it shall be by Magistrates, Town-council, Kirk-session and Heritors, &c.

This is inveighed against with great Clamour and Noise, as a dangerous Invasion and Incroachment upon the Rights of the Christian People, though the very same Thing, when it was established by an Act of the Parliament of *Scotland* anno 1696, was peaceably submitted to by all the Presbyteries and Judicatories of this church till the Year 1712, when Patrons were restored to the Right of presenting by an Act of the *British* Parliament. It seems that the Christian People now are more jealous of their Rights than they were then, and that there is now a Set of Gospel-ministers, who more faithfully stand up for the Peoples Rights than those sedate and wise, aged and experienced Pastors, who endured the Heat of the Day under a long, cruel, and barbarous Persecution in two late Reigns. Whether there be just Ground for such a complaint against the Ministers of the last Assembly, I shall not now determine; but it is undeniably evident to all, that they have thrown away a Right of their own; for both Scripture and Antiquity assure us that the Pastors of the Church were the chief Electors; and if one is not presented within the six Months, the Right by Law falls into the Presbytery's Hands; and yet the last Assembly has by that Act quitted to Heritors, Magistrates, Town-counsellours and Elders, thinking it is better lodged with them than with the Multitude.

As



As to this Matter, I have sincerely laid aside all byass, prepossession and prejudice, and have enquired with all the Care and Attention I am capable of, to know if it is fact, that this is a declared and avowed principle of Presbyterians and of the Church of *Scotland*; but I am still at a loss to find it out; nay, I cannot discover that this was ever the principle of any Church, the Independents being excepted, who not only maintain that the People have a divine Right to choose their Pastors by Vote and Suffrage, but that they may likewise ordain them. I know no Principles of Presbyterians and of the Church of *Scotland*, but what are founded on the Word of God: An Article of Faith, must be either expressly set down in the Scripture, or deduced from it by a good and necessary consequence: For I ever thought it inconsistent with good Divinity, to make any Thing an Article of Faith, which is not founded on a divine Revelation: And here I ingeniously profess, that I have searched the Scriptures of Truth, and the best Commentators upon them, and the best Writers on this Subject, and yet after all cannot fix on any one Text of Scripture on which I can build my Belief, that the People have a Right to elect their own Pastors by a decisive Suffrage: And if any would be so kind as shew it, I should not fail to make them grateful Acknowledgements of my Obligations to them.

There are many famous and celebrated Divines of the Presbyterian Stamp, who have been much in the same Case with me. The learned *Maresius* Professor of Theology at *Groningen*, *Syst. Theol. Loc. 15. 5. 64. Not. Sed quod nihil satis expresse exstet in scripturis de jure et modo electionis, ut de eo certa, constans et universalis regula possit proponi et constitui, i. e.* There is nothing so expressly recorded in Scripture concerning the Right and Manner of Election, as that a certain, constant and universal Rule can be proposed or established. *Vitringa de Syn. Vet. Par. 1st. Lib. 3. Cap. 14. p. 820. Ex Historia quidem*

*quidem Novi Testamenti et Paulinis Epistolis, clare satis constat, Apostolos aut viros Apostolicos, cuique Ecclesie suos designasse et Elegisse Pastores, eosque per manuum impositionem ordinasse, et novo muneri suo inaugurasse: Sed nomina Eligendorum ab Apostolis, ecclesie fuisse proposita ab eadem approbanda vel improbanda haud eque liquet, nec ullo ex argumento certo atque idoneo colligas. i. e.* 'Tis abundantly evident from the History of the New Testament and Paul's Epistles, that the Apostles and Apostolical Men, did design and elect Pastors to the several Churches, and did ordain and instal them in their Office: But it is not so plain, that the Names of those who were to be elected, were to be proposed to the Church, either to be approven or disapproven, neither can you gather it from any certain or plausible Argument.

If these eminent Professors of Divinity could find no such Thing in the New Testament, as that the Right of Election did belong to the People, and if *Vitringa*, one of the first Rank for Learning, had ground to assert that the Apostles and Apostolical Men, did chuse and elect Pastors to the several Churches, and that they did not so much as present them to the People for their Approbation or Disapprobation, I will be tolerated and born with for declaring, that after a serious and conscientious Inquiry, the Right of Election belongs still to the Church Representative or the Presbytery; it being reasonable to suppose, that such an Assembly has more Learning, Wisdom and Prudence, than a Congregation of illiterate Persons, and are more able to judge of the Abilities and Qualifications of Persons for the Ministry; an Election that is made with Judgment and Knowledge is surely to be preferred: And whether I have Grounds sufficient to make me think after this Manner, I submit to the Judgment of those from whom I am willing to learn.

The



The Method I observed in this Inquiry after Truth was I. To know if this is a Presbyterian Principle, a Principle of the Church of *Scotland*, that the Right of Election belongs to the People. II. I next considered with my self, how necessary it is for the Discovery of Truth, that the question be accurately stated to prevent Confusion and Mistakes. And, III. I gave close Application to the Examination of the Arguments brought from Scripture for proving the Peoples Right, but found that they rather established that of the Church Representative. IV. I went on in my Inquiry to know how Matters stood with the Primitive Christian Church, after the closing of the Canon of the New Testament : which I found to be so confused and inconsistent, that I could not much depend on their Conduct and Management. And, *Lastly*, I laboured much to know what the Protestant Churches after the Reformation maintained in this Matter, but could not find any constant and universal Rule laid down, concerning the Right and Manner of Election, as *Maresius* expressed it, *loc. cit.* According to this plan, I shall proceed in this small Treatise.

#### S E C T. I.

**I**N this Section, I shall give a fair and candid Representation of what I could learn to have been the mind of our Church from the most authentick Vouchers. And first in the Book of common Order, or the Order of the *English* Church of *Geneva*, whereof *John Knox* was Minister : which was indeed approved by the learned *John Calvin*, and seems to have been received and used by the Church for a short time ; There it is said, *Chap. 1. Art. 3. of the Manner of the Election of the Pastors and Ministers*,  
 “ The Ministers and Elders at such Time as there  
 “ wanteth a Minister, assemble the whole Congregation, exhorting them to advise and consider who  
 “ may

" may best serve in their Room and Office: And if  
 " there be choice, the Church appoints two or three  
 " upon some certain Day to be examined by the Mi-  
 " nisters and Elders. — And they whose Gifts  
 " they found most meet and profitable for the Mi-  
 " nistry. — Then the Minister that is to preach,  
 " presenteth him to the Church, (*id est*, acquaints  
 " them that he is most meet of the three) and then  
 " Afternoon the Sermon being ended, the Minister  
 " exhorteth them to the Election. — And after  
 " the Election is over — he is appointed Mini-  
 " ster." Here there is no Principle asserted, nor any  
 Scripture Proof adduced: Here we have a Regu-  
 lation made by the Composer or Composers of that  
 Book of Order, which obtained for a little Time:  
 But it was never (for what I can learn) approven  
 of by any Act of Assembly. This Order they  
 judged to be the best Expedient in the then State of  
 the Church: But it does not allow the People a free  
 Choice, it restricts them to one they think best qual-  
 ified; they first take him under Trials, then pre-  
 sent him to the People, and exhort them to the  
 Election of him: But if a Presbytery should act  
 such a Part in the present State of the Church, they  
 would be greatly exclaimed against, and be roundly  
 told, *ye take too much upon you, you Sons of Levi*.

Next in order, I perused the first Book of Dis-  
 cipline, and there it is expressly said, *Chap. 4. § 2.*  
 ' That it appertaineth to the People and to every se-  
 ' veral Congregation to elect their Minister.' And  
 ' § 4. If his Doctrine be found wholesome and able  
 ' to instruct the Simple; and if the *Church* justly  
 ' can reprehend nothing in his Life, Doctrine or Ut-  
 ' terance, then we judge the *Church* which before  
 ' was destitute, unreasonable if they refuse him whom  
 ' the *Church* did offer, and that they should be com-  
 ' pelled by the Censure of the Council and *Church*  
 ' to receive the Person appointed and approved by  
 ' the Judgment of the Godly and Learned, &c.'



' This is altogether to be avoided, that any Man be  
 ' violently intruded or thrust in upon any Congrega-  
 ' tion ; but this Liberty must be reserved to every se-  
 ' veral *Church* to have their Votes and Suffrages in  
 ' Election of their Ministers : But violent Intrusion we  
 ' call not, when the Council of the *Church*, in the  
 ' Fear of God, and for the Salvation of the People,  
 ' offereth to them a sufficient Man to instruct them,  
 ' whom they shall not be forced to admit before Exa-  
 ' mination.' I was not a little surprized at these last  
 Words, for they clearly insinuate that if the Council  
 of the *Church* (*i. e.* the Presbytery, or Ministers and  
 Elders in the Neighbourhood) shall, in the Fear of  
 God, and for the Salvation of the People, offer to  
 them a sufficient Man that is examined by them,  
 the People may be obliged to receive and admit that  
 Person; this they say is no violent Intrusion. But  
 how does this agree with their Assertion, that the  
 People must have their Votes and Suffrages in the  
 Election of their Ministers? This Inconsistency may  
 probably be one of the Reasons that this Book met  
 with great Opposition afterwards in this *Church*:  
 To me it appears that they esteemed that only to be  
 a violent Intrusion, when the Patron fixed a Person in  
 a Parish, without undergoing the Trial and Exami-  
 nation of the Council of the *Church*. This first Book  
 of Discipline was never authorized by any Act of  
 Assembly, and some who had subscribed it thought  
 themselves obliged upon better Information to with-  
 draw their Subscriptions : And the Assembly, *anno*  
 1563, had weighty Reasons to appoint a Committee  
 of learned Persons, Mr. *George Buchanan* being of  
 the Number, to revise the said Book, consider dili-  
 gently the Contents thereof, set down their Judgment  
 in Writ, and report the same to the next Assembly.  
 Mr. *Calderwood* says in his History, ' I find no Report  
 ' made to the next Assembly.' The Reason probably  
 might be, that they began quickly to think upon pre-  
 paring a new Book of Discipline, which should be  
 more

more taking. There were several Things very exceptionable in the first Book of Discipline, which made the revising of it necessary: It is for dropping the Ceremony of Imposition of Hands in Ordination; for it is said, *chap. 4. § 10.* 'Other Ceremonies than the publick Approbation of the People, and Declaration of the chief Minister, that the Person there presented is appointed to serve the Church, we cannot approve: For albeit the Apostles used Imposition of Hands, yet seeing the Miracle is ceased, the using of the Ceremony we judge not necessary.' Here they erred, for tho' this Rite is not necessary or essential to Ordination, yet it ought to be retained, and the Use of it is to be approven; and therefore I find that the 2d Book of *Discipline, chap. 3. § 6.* determines that it should be used. There it is said, 'That Ordination is the Separation and sanctifying of the Person appointed to God and his Kirk after he be well tried and found qualified: The Ceremonies of Ordination are Fasting, earnest Prayer and Imposition of Hands.' And the *Westminster Assembly*, concerning the doctrinal Part of Ordination, *Prop. 4.* lays down this Assertion, 'That every Minister of the Word is to be ordained by Imposition of Hands and Prayer, with Fasting.' Further it seems, that the first Book of *Discipline* needed to be amended, as to this Head of the Election of Ministers: For in the second Book of *Discipline, chap. 3. § 4.* The Election of a Minister is thus defined; 'The choosing out of a Person or Persons to the Office that vaikes by the Judgment of the Eldership (*i. e.* of the Presbytery, as appears afterwards) and Consent of the Congregation, to whom the Person or Persons shall be appointed.' The first Book of *Discipline* determined, that the Election must be by the Votes and Suffrages of the People; but the second Book determines that the Election must be by the Judgment of the Eldership. The People indeed are to give their Consent to the Election, but



they allow them not a proper decisive Voice, as is evident from *chap. 7. § 17.* 'The Power of the Election of them, who bear Ecclesiastical Charges, pertains to this Kind of Assembly (*i. e.* the Eldership or Presbytery as the following Words show) within their own Bounds, being well erected and constituted of many Pastors and Elders of sufficient Ability.' It being so, I wondered exceedingly to find the Author of the *Right of Patronages considered* asserting, *Page 7th*, 'That the first and second Book of *Disciplines* intirely agree in that of the Election and Calling of Ministers;' for since the first Book says it pertains to the People, and the second that it pertains to the Eldership or Presbytery, they must intirely differ; in as much as the People and the Presbytery are two distinct Things. 'Tis true, that in *chap. 4. § 4.* it is said, That the Election is by the Judgment of the Eldership and Consent of the Congregation: But besides what I have offered already, to show that this Consent is not a proper decisive, elective Suffrage; so I now add, that the Election was good and valid, though the Congregation did not give their Consent. And to support me in this, I have the Opinion of very eminent Ministers of this *Church*. For King *James VI.* having proponed Questions to be resolved at the Convention of Estates and General Assembly appointed to be holden at *Perth*, anno 1597, the Synod of *Fife*, held at *Coupar* the 8th of *February* the said Year, in which Mess. *Andrew* and *James Melvils* were present, considering by these Questions the whole Discipline and Government of the Kirk was called in Doubt, and that these Questions were published in Print, ordained every Presbytery to nominate two of the most wise and resolute of their Number to meet at *St. Andrews* to confer and resolve on solid Answers to the Questions; the third of which Questions is this, 'Is not the Consent of the most Part of the Flock, and also of the Patron, necessary

in

' in electing Pastors ? ' These wise resolute Ministers,  
 who were neither afraid of the Wrath of the King,  
 nor were Slaves of Popularity, give this Answer,  
 ' That the Election of Pastors should be made by  
 ' those who are Pastors and Doctors lawfully called,  
 ' and who can try the Gifts necessarily belonging to  
 ' Pastors by the Word of God, and to such as are so  
 ' chosen (N. B.) the Flock and Patron ought to give  
 ' their Consent and Protection.' A present Writer on  
 this Subject, I mean the Author of *Jus populi di-*  
*vinum*, and of the Queries anent the Overture of the  
 last Assembly, who has his pastoral Charge, as I am  
 informed in the Bounds of one of the Presbyteries  
 of the Synod of Fife, and inherits the Resoluteness  
 of his Ancestors in Office, and would be esteemed  
 one of the most wise in that Synod, as inheriting the  
 Wisdom of his Predecessors, by his publishing a Letter  
 to him, subscribed by Nine most wise and resolute Mi-  
 nisters in this Church, anent the publishing of his Que-  
 ries, and subscribing them : I say this Author would  
 have given an Answer to the King's Query, the per-  
 fect Reverse, after this Manner ; *The Pastors and*  
*Doctors of the Church are by the Word of God to*  
*try the Gifts of the Persons, and to preside in the*  
*Election ; but the Right of Election belongs not to*  
*them, but when the People have elected, the Pastors*  
*of the Church ought to ordain him, and the Patron*  
*ought to give his Consent and Protection to the Per-*  
*son chosen.* But I shall fortify my Notion and Sense  
 of the second Book of *Discipline*, viz. That the  
 Election was made by the Presbytery, and that the  
 People were not proper Electors, but Consenters to  
 the Election already made for them. I say I shall  
 fortify this from a Passage in the same Book, chap.  
 12. § 9. ' So that none be intruded upon any Congre-  
 ' gation, either by the Prince or any inferior Person,  
 ' without lawful Election, and the Assent of the  
 ' People over whom the Person is placed, as the  
 ' Practice of the apostolical and primitive Kirk and  
 good



'good Order craves.' Now had the Composers of this Book thought that the People had been proper Electors, and had the Right of giving a decisive Voice, they would naturally have expressed their Mind after this Manner ; so that none be intruded upon any Congregation, without the lawful Election of the People (but to say as they do) *without lawful Election and the Assent of the People*, is to make the Election and the Assent of the People two distinct Things ; this plainly says they are not proper Electors, but that after the Person is chosen, he is to be offered to the People for their Assent, *i. e.* their Approbation ; and from this, as a Hint, it is, that the Act of Parliament 1690, and the Act of Assembly 1731, have this Clause, Where the Election by Heritors and Elders is over, that the Person elected is to be proposed to the whole Congregation, to be either approved or disapproved ; and if there is nothing can be objected against his Life and Doctrine, the People, according to the forementioned Answer of the Ministers of *Fife*, *anno* 1597, ought to give their Consent to such as are chosen by the Pastors.

What was the Conduct and Management of our church, as to the planting of vacant Parishes from the Year 1578, when the General Assembly agreed to and approved of the second Book of Discipline, till the Year 1649, when Patronages were abolished by the Parliament, it will not be judged any impertinent Digression, if I shall briefly sum it up (for this is largely related by the Author of *the Right of Patronages re-considered*) after I have mentioned the Assembly's Reply to the Queen, who thought it noways reasonable to defraud herself of the Patronage of the Benefices which she esteemed to be a portion of her Patrimony, and that she was minded to retain a good part of the Benefices in her own Hands, to support her common Charge ; the Assembly at *Edinburgh December 25. 1565*, give this Answer, "Our Mind is not that her Majesty, or any  
" other

" other Patron of the Realm, should be defrauded  
 " of the just Patronage; but we mean whensoever  
 " her Majesty, or any other Patron do present any  
 " Person to a Benefice, that the Person presented should  
 " be tried and examined by the Judgment of learned  
 " Men of the Kirk, such as are presently the Super-  
 " intendants appointed thereto: And as the Presen-  
 " tation of Benefices pertain to the Patrons, so ought  
 " the Collation thereof by Law and Reason to apper-  
 " tain to the Kirk; of the which Collation the Kirk  
 " should not be defrauded more than the Patrons of  
 " the Presentation; for otherwise, if it shall be leisome  
 " to the Patrons absolutely to present whomever they  
 " please, without Trial or Examination, what then  
 " can abide in the Kirk of God, but mere Igno-  
 " rance without all Order." After this, in the  
 Year 1581, the King having resolved that laick Pa-  
 tronages shall remain whole, asked the Assembly's  
 Advice as to the Form of Presentations: To which  
 they gave this Reply, " That it was their Desire  
 " that they may be directed to Presbyteries." The  
 Occasion of this was, that Persons had been violent-  
 ly intruded in the Office of the Ministry by Patrons,  
 without the Trial and Admission of the Kirk. In  
 the Year following the Assembly craved with Re-  
 spect to Patronages, that Presentations to Benefices be  
 directed to the Presbyteries of the Bounds where the  
 Benefice lieth, that by them, after due Trial, the  
 qualified Person may be admitted; also that no Pre-  
 sentation be given to any Man with a Blank, there-  
 with to make Merchandize, and search who will of-  
 fer most; but such shall be most regarded as by Presby-  
 teries or Universities are recommended to his Majesty  
 or laick Patrons. In the Assembly 1586 it is conclud-  
 ed lawful to the General Assembly to admit a Pa-  
 stor presented by the King's Majesty. In Assem-  
 bly 1590 it is ordained, " That all *Presentations* be  
 " directed in Time coming to the *Presbytery* where  
 " the Benefice lieth." And to the same Effect an-



na 1593, with this proviso, "That the *Presbyteries* be bound and astricted to receive and admit whatsoever qualified Minister is presented by his Majesty and laick Persons:" For this Assembly kindly accepted the Act of *Parliament* 1592, ratifying the Government of the *Church* and her privileges, and the said Act of *Parliament* has the fore-said irritant clause. In all these mentioned Assemblies, though they groaned under the Yoke, yet by their Authority did not attempt to shake it off, but calmly and wisely submitted to it, making the best of it they could. And the Assembly 1642 directs a List of six persons willing to accept (N. B.) of the *Presentation* upon every Occasion of a Vacation of a Kirk, to be sent up with a blank *Presentation*, to be filled up with one of the List who shall have most Interest. Here they offer upon every Occasion of a Vacancy to send a Draught of a *Presentation* to the Royal Patron, and a List of Candidates, all willing to take the Right to the Stipend from him, and they countenance the using of Endeavours by Interest and Friendship for the Persons obtaining the *Presentation*. If any Thing of the like Nature were encouraged by this present *church*, what Outcries would be raised every where against her! And yet these Things are agreed to in an Assembly in the purest Times of this *church*.

I am now arrived at the Year 1645, when the Assembly of Divines at *Westminster* offered their humble Advice to the Lords and Commons of *England* assembled in *Parliament*, concerning the Ordination of Ministers; in this Advice they propose, that the Person to be ordained, being either nominated by the People, or otherwise recommended (I suppose they mean by a *Presentation*) to the *Presbytery* for any place, must address himself to the *Presbytery*, and bring with him a Testimonial—which being done, the *Presbytery* is to proceed to his Trials, (according to the Method there prescribed) in all which he being approven, is to be sent

sent to the church where he is to serve, to preach three several Days.—In the last of which there shall be sent from the *Presbytery* to the Congregation a publick Intimation, to intimate, that such a Day a competent Number of the Members of that Congregation, nominated by themselves, shall appear before the *Presbytery*, to give their Consent and Approbation (they neither call them the major nor the better part, but a competent Number that is to give their consent; for they wisely did foresee the Difficulties that would cast up against the one and the other) to such a Man to be their Minister; or otherwise put in with all Discretion and Meekness what Exceptions they have against him; but if upon the Day appointed there be no just Exception against him, but the People give their consent, then the *Presbytery* shall proceed to Ordination.

What Part our Commissioners Mrs. *Henderson, Douglas, Rutherford, Baillie* and *Gillespie* acted herein, I know not; but this Advice gives to the People no proper Suffrage nor decisive Voice, but only a Power to nominate a competent Number, to give their Consent and Approbation, or to give in their Objections, if they have any. This Advice was sent down to *Scotland* that same Year, for the Approbation of the General Assembly, and in *February* 10th they approve the same, provided, *That this Act approving shall be no ways prejudicial to the distinct Rights of Presbyteries and People, in the calling of Ministers; but that it shall be free to debate and discuss these Points, as God shall be pleased to give further Light:* They were so far from declaring their Principle about Right, that they judged them to be debateable Points, and owned they needed more Light to determine therein; nay, the Assembly 1646 was as much in the dark and undetermined, for they recommended to the several Presbyteries and Provincial Assemblies, to consider the Interests of parti-

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cular Congregations in the Calling and Admission of Ministers; with all these Questions that usually fall out on that Occasion; and to report their Opinions to the next Assembly, with some fit Overtures for preventing all Contests in that Matter. Here it is owned, that the Interests of particular Congregations were still unfixed, and that perplexing Questions were raised about them, and they earnestly wish that some happy Overtures might be thought on, for preventing Contests and allaying Heats, but nothing was done till the Year 1649. In this Year the Parliament of Scotland having abolished Patronages, the Assembly, on the 24th of July, humbly shewed to the high and honourable Court of Parliament, *That whereas they had seen and considered the Act of Parliament abolishing Patronages, they did highly commend the Piety and Zeal of the States of Parliament in promoting so necessary a Part of Reformation.* The Church of Scotland being now eased of this Grievance, under which she had groaned ever since the Reformation, the National Assembly had then a favourable Juncture put in their Hands, to declare the Presbyterian Principle, had the Ministers and Elders been in one Mind about it; but all they do, is to agree to a Directory for the calling of Ministers. This Assembly probably considered the Session as the Representatives of the Congregation, and this led them to place the Right and Power of Election in them. The Tenor of the Act is as follows, *The Presbytery is to send one or more of their Number to the vacant Congregation on a certain Day appointed before for that Effect, who are to convene and hear Sermon the foresaid Day, which being ended, and Intimation made by the Minister, that they are to go about the Election of a Pastor for that Congregation, the Session of the Congregation shall meet and proceed to the Election. — And if the People shall upon the Intimation of the Person agreed upon by the Session, acquiesce*

esce and consent to the said Person, then the Pres-  
 bytery are to proceed to the Trial of the Person thus  
 elected; and finding him qualified, to admit him to  
 the Ministry in the said Congregation; but if it hap-  
 pen that the major Part of the Congregation dissent  
 from the Person agreed upon by the Session, in that  
 case the Matter shall be brought to the Presbytery, who  
 shall judge of the same: And if they do not find their  
 Dissent to be grounded on causeless Prejudices, they  
 are to appoint a new Election in Manner above spe-  
 cified; but if a lesser Party of the Session or Congre-  
 gation shew their dissent from the Election, without  
 Exceptions relevant and verified to the Presbytery:  
 Notwithstanding thereof, the Presbytery shall go on  
 to the Trials and Ordination of the Person elected;  
 yet all possible Diligence and Tenderness must be used  
 to bring all Parties to a harmonious Agreement.  
 Here it is undeniable that our Church gives the  
 Right of Election by Vote and Suffrage to the El-  
 dership of the vacant Congregation. So that if a les-  
 ser Part either of the Session or Congregation shall  
 dissent without giving relevant Exceptions and verify-  
 ing them, the Presbytery is to proceed to the Ordi-  
 nation. Nay, by this *Directory*, the Presbytery is to  
 go on to it, even when the major Part dissents upon  
 causeless Prejudices. Here the Author of *jus populi*,  
 pag. 84, 85, 86. since he cannot refuse that this  
 Assembly takes the Right of Election from the Peo-  
 ple, and gives it to the Session, comforts himself  
 with this, that by that *Directory* the major Part of  
 the People have a Negative upon the Session; for un-  
 less the Majority consented to the Person chosen,  
 there was to be no Settlement, no proceeding to Or-  
 dination; And this is what he attempts to make out,  
 first from Mr. Gillespie's *Misc. Quest.* Page 27, 28.  
 where, in answering the Objection, That People may  
 not dissent from the Person chosen, without object-  
 ing somewhat against his Doctrine or Life; He says,



' That Men vote in Elderships as in all Courts and  
 ' Consistories, freely, according to the Judgment of  
 ' their Consciences, and are not called to an Account  
 ' for a Reason of their Votes: And as the Vote of  
 ' the Eldership is a free Vote, so is the Congrega-  
 ' tion's Consent a free Consent, and the Objection  
 ' holdeth no more against the latter than the former."

To this I reply that a Congregation's consent must be  
 free, and that they have Liberty, all Manner of Li-  
 berty, to enter their dissent from the Person chosen, for  
 their own Exoneration; but then such a Dissent is not  
 to be regarded but where it is enforced with relevant  
 Exceptions, and the same verified against his Doctrine  
 or Life; for it is not enough for the major part to say  
 we are the Majority, we are not for this Man, he is  
 not our choice, we enter our dissent; for if this was to  
 be sustained, the Assembly's Directory would be no  
 Rule at all, but Humour and Obstinacy, Ignorance  
 and Nonsense, passion and pride, and I don't know  
 what, must have the Ascendant, bear the Sway, and  
 rule all. And this is to establish the most ridiculous  
 and absolute Negative that ever was heard of; and the  
 power of electing given to the Session by the Directo-  
 ry, would be very precarious and useless, and no  
 power at all, a power that can do nothing, an empty  
 and insignificant Name. In Opposition to the Autho-  
 rity of this learned Divine, I must repeat the Answer  
 of eight Ministers who were the most wise of the Sy-  
 nod of *Fyfe*, which I have already mentioned, ' That  
 ' the Flock ought to give their Consent to such as are  
 ' chosen by Pastors and Doctors lawfully called, who  
 ' can try their Gifts by the Word of God.' The  
 Author of *Jus populi* adds from Mr. Gillespie,  
 ' Though nothing be objected against the Man's  
 ' Doctrine or Life, yet if the People desire another  
 ' better, or as well qualified, by whom they find  
 ' themselves more edified than by the other; That  
 ' is a Reason sufficient, if a Reason must be given at  
 ' all.'

all. I answer that is a sufficient Reason, why they give not their Consent; and if they please they may, for their own Exoneration, give their Dissent for the same Reason: But if the Dissent of the Majority of the Parish is founded on no other Reason but this, that they pretend they are more edified by another Person, and that then the Majority have a Negative over the Session. By this Reasoning they will have a Negative over the Presbytery also; for here the Majority is both Judge and Party, nay Judge of the Presbytery their Judges, and invade that authoritative Judging of the Qualifications of the Candidate for the Ministry, which by all Presbyterians has ever been acknowledged to be the Presbytery's Right: No doubt the People have a Judgment of Discretion of the Person's Gifts and Abilities; but when these two Judgments interfere, must the authoritative Judgment yield to the Peoples Judgment of Discretion? Must all be carried before the Bar of the popular Tribunal? And must that be the dernier Resort? And surely it is, if the people have the Negative by their Majority, and the presbytery ought not to proceed to the Ordination, nay, not only over the Session and Presbytery, but over the superior Judicatories, the Provincial Synod and National Assembly too; they need not appeal either from Session or presbytery; their Negative is sufficient; And thus presbyterian Government, for Redress and a Subordination of Courts, is overthrown at once, and the Majority of the people are the supreme Court under Heaven. It is certain, that the pretence of being more edified by another, has been often the Scog, whereby they have covered their groundless and unreasonable Opposition, and that the person opposed by them, has, to intelligent Hearers, had a more edifying Gift than the other they were inclined to have. Had the learned Mr. Gillespie been alive when the Assembly framed this Directory, he had been probably of their Mind, for it plainly says, That if a lesser part shall dissent  
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without Exceptions relevant and verified, the Presbytery shall notwithstanding go on to the Ordination. Can there be any Thing more plain, than that this overthrows the whole of Mr. Gillespie's Reasoning? Does not the Assembly positively determine that Reasons must be given? And then as to the Majority, must their Dissent without relevant Exceptions made and verified, have the Value of a Negative? Is not this to overthrow all Order and Government, and to turn all into confusion and disorder? If the Majority, purely because they are the Majority, and for no other Reason, shall decide this Matter, then Nonsense and Ignorance, Force and Violence must rule the World and the Church. These Things I have advanced will answer the Reasoning advanced by the Author of the *Jus populi*. He says, *loc. cit.* *That the Assembly 1649 never meant, that unless the major part of the Congregation could give relevant Exceptions against the Man's Life or Doctrine, the Presbytery might go on in the Settlement; for says he, 'Tis as clear as two and three make five, that the Assembly intends some other Sort of Objections should be adduced by the lesser part to stop the Settlement than was required from the greater, otherwise they neither knew what they said, nor whereof they affirmed.* The Import and Sense of this Reasoning, if the Reverend Author knows what he says or affirms, must be at least, that when the major part dissents, they must give some Objection or other; and if so, how will he agree with Mr. Gillespie, who thinks the major part needs give no Objection at all. This Reasoning also imports, that less material and momentuous Objections made by the Majority, should stop the Presbytery's proceeding to Ordination, which when made by the Minority cannot do it. But this I cannot comprehend, unless that this Majority adds a greater Force of Reason to the Objection, and makes the Objection to have more of Reason in it; but an Objection is equally strong and reasonable, whether they be few or many that make it. Again the Directory  
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in my Opinion is exactly calculated, to show, that the Presbytery is to proceed to the Ordination, unless the Majority give sufficient Reasons to the contrary, for it expressly says, That the Presbytery is to judge of the dissent of the Majority, and of their Prejudices, and if they do not find them to be causeless, they are to appoint a new Election, but if they are causeless, not well grounded, if there is nothing objected and verified either against his Life or Doctrine, and if the Presbytery finds that the Person elected is comparatively fit for the Congregation; will any of common Understanding say, that it was the Intention of the Directory to give the Majority a Negative upon the Presbytery, that they cannot proceed to the Settlement? The Reader will pardon this digression, which has a little interrupted the historical relation. I shall now go on with it. After the Restoration the Act of Parliament 1649 discharging Patronages was rescinded by the first Parliament of King *Charles* the second; but this Right of presenting Ministers acclaimed by Patrons being again discharged after the late happy Revolution, *Anno* 1690, Parliament *William* and *Mary*, *Sess.* 1. *Act* 23. and the Wisdom of the Nation considering that Heritors in landward, and Magistrates with their Town-council in Burghs, are the most lasting as well as the most intelligent and considerable Heads of Families, on whose Satisfaction the comfortable living of Ministers may much depend, and likewise that it was too great a power to be lodged in Kirk-sessions to choose and elect Ministers for Parishes and Burghs, they by their Act foresaid, declared that Heritors, Magistrates, Town-council and Elders should have the Right of Election: The Act ordains the Calling of Ministers to be by the Heritors of the Parish (being Protestants) and the Elders, and these called, to be proposed to the Congregation, who are to approve or disapprove, for Reasons to be cognosced by the Presbytery, by whose determination the Calling and Entry of a Minister is to be ordered and concluded.—But prejudice

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always of the calling of Ministers to Royal Burghs, as in Use before the Year 1660; and where a part of the Parish is in landward, that the Call be by the Magistrates, Town-council, Kirk-session, and the Heritors. This Law was framed by the wisest and best Friends of this National Church, many of whom had been great Sufferers for their Attachment to the Presbyterian Interest: And before it was passed by the Parliament, the eldest and the most experienced Ministers that were alive after the Revolution, were advised about it, and gave their good Assistance in the framing of it. And it being universally approved of at that Time, all the Judicatories of this Church did regulate their conduct and procedure in the calling of Ministers, and planting of Churches by this Rule; and it had as much Force, as if it had been established by an Ecclesiastical Canon: And neither Ministers nor People were heard to complain of the Administration of Church Judicatories according to this Method from the Year 1690 to the Year 1712.

In this Year, which was the tenth Year of the Reign of Queen Anne, Patronages were again restored by an Act of the British Parliament, in the following Words; *Therefore the Right of Patrons to the Presentation to Churches and Benefices, is renewed and confirmed, and they are to present a qualified Man to the Churches of which they are Patrons, and the Presbytery shall be obliged to admit such qualified Persons presented, as the Persons before the making of this Act ought to have been admitted.* By this Law the Act of Parliament 1690 was repealed, and ever since there have been great Divisions in Church-judicatories about the ordering and concluding the Entry of Ministers into parishes: And there being no uniform settled Methods observed by Ecclesiastical Courts, contrary Sentences have, to the great Scandal of Religion, been passed by the same courts in Settlements, where the causes were exactly and intirely parallel.

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The last Assembly laying this fore Evil to Heart, made an Act and Overture concerning the Method of planting vacant churches, almost in the Words of the Act of *Parliament* 1690, being thereto moved from the universal Acceptance of the said Law, for the Space of two and twenty Years, hoping, that it would now take, and give Satisfaction to all: But whether it will be so, will be known by the Report that is to be made to the next Assembly from the several *Presbyteries* of this Church.

By this historical Relation it will appear, that I have been at due pains to know if this church has declared by any Deed of theirs a principle concerning the Right of Election of Ministers, and having turned over the proper Vouchers, I cannot find they have any fixed settled principal about it: I have discovered that they have made several Regulations and Directories about thee calling and chusing of Ministers from Time to Time. First of all it was said to appertain to the people, and every several congregation, in the first Book of Discipline: Afterwards that this power belongs to the presbyterial Eldership, erected and constituted of many Pastors and Elders of sufficient Ability, according to the second Book of Discipline. At another Time, the church puts it into the Hands of the sessional Eldership; neither in the Congregation nor Presbytery, but in the Session of the Congregation, according to the Directory 1649. And last of all by the Act of the last Assembly, it is put in the Hands of the Heritors, Magistrates, Town-councillors and Elders, as the Parishes are constitute. There is not any one of these Methods that has been long rested in, without strong Attempts, and mighty Efforts for an Alteration. And I cannot be brought to think, that these different Deeds of the Church in the distinct periods mentioned, are so many Declarations of the *Presbyterian* Principles, or Assertions of an Article of Faith about the Right of the Election of a Minister.



nister. Shall it be said the church of *Scotland* is so fickle and wavering, as to change her principle so often as four several Times! Whether shall I maintain and believe with the first Book of Discipline, *anno* 1560, or with the second Book of Discipline, *anno* 1578, or with the Directory, *anno* 1649, or with the Act and Overture of the Assembly 1731?

That which I think bids fairest for the declaration of a Principle about the Right and Power of Election is what is laid down in the second Book of Discipline, *chap.* vii. § 13. "The power of the Election" of them who bear Ecclesiastical Charges, pertains "to this kind of Assembly (i. e. *the Presbyterial Eldership*) within their own Bounds being well erected and constitute of many Elders of sufficient Ability." And *chap.* xii. § 9. "So that none be intruded upon any Congregation, either by the Prince or any inferiour person, without lawful Election and Assent of the people over whom the person is placed, as the practice of the apostolical and primitive Kirk, and good Order craves." Now here I desire what I have said fully on this Head *page* — may be duly attended to; for here there is a Distinction made betwixt lawful Election and the Assent of the people: For had they thought that the people had a Right to elect, they would have naturally been led to express themselves thus, 'So that none be intruded upon any congregation without the lawful Election of the people.' But had this been the Meaning, then they had contradicted what they said, *chap.* vii. § 13. where they put the Right of Election in the *Presbytery*. Now here the composers of the second Book of Discipline, I say, seem to me to declare a principle; for they alledge the practice of the apostolical and primitive Kirk as a good Ground and Foundation of it, and they add, that good Order requires it. Nothing like this is adduced for any of the other three Accounts, as to the Right of Election; it is true they do not cite or refer

refer to any passage of the New Testament, evidencing that this was the practice of the apostolical and primitive Kirk, that the *Presbytery* did elect Ministers for the churches; this they thought was well enough known from the Acts of the Apostles, and Epistles of *Paul*; and this I hope to make out afterwards, when I come to the third Thing intended in this Treatise: This consideration abundantly shows, that this was the principle of the composers of this Book; but I think it was also the principle of the Approvers of it; for this Book had the Approbation of the General Assembly 1578, (which the first Book of Discipline never had) nay, Mr. *Calderwood* acquaints us, *anno* 1581, that it was agreed upon in Assemblies after sundry Conferences, and often Disputation and Reasoning in many Assemblies, and after great pains had been taken in framing it. And to all this I add, that it was sworn to in the *National Covenant*, which adds a considerable Regard to what is contained in that Book of Discipline. I said above, that it does not appear, that this *church* has a fixed principle plainly declared anent the Right of Election; for if what I have advanced from the second Book of Discipline is that principle, I am sorry that the church has so long departed from it.

## S E C T. II.

I am now come to the second Part of my Undertaking, which is to state the Question aright. In the Pursuit of my Studies on this or any other controverted Subject, this was my first Care, after I had implored the Divine Conduct and Assistance for finding out Truth, that I might not fall into Blunders and Mistakes my self, nor oppose or fight against that which is not maintained by others, and that I might cut off the common Retreats of Adversaries, and stop



up these little lurking Holes they generally run to, and in which they are wont to earth themselves.

Some learned and godly Presbyterian Divines, as to this Subject, have maintained that the Right of the Election of Ministers to vacant Churches, by a decisive Suffrage, belongs to the Church Representative, (but are not agreed whether this is the Presbytery or the Kirk-session;) but then they seem to hold, that if the major Part of a Congregation enter their Dissent from the Election, the Presbytery may not proceed to the Ordination, but the Majority has the Negative. Here I agree with such as place the Right of Election in the Church Representative, meaning thereby the Presbytery, but as yet cannot come their Length, that the Majority of the Congregation have a Negative over them: For I think, if the proper Electors chuse, and if their Right to do so be good, the Majority or Multitude who have no Right to elect cannot have a Negative upon them. The learned Mr. Gillespie *Misc. Quest. p. 8.* if we consider the Subject in this View, has said more in a few Words than all have done who maintain the same Sentiments that he does: He says, 1. 'The Question is not, Whether the whole collective Body of the Church ought to be assembled, and their Voices severally asked in Elections, but the representative Body of the Church? Nor 2. Whether the Consent of the People to the Admission of a Pastor is to be sought or wished for? It being generally acknowledged by all, and denied by none, that it is better to enter with the Peoples Consent than against it. Nor 3. Whether Liberty ought to be granted to the whole Congregation, or any Members thereof, to object against the Man's Life or Doctrine, or against his Qualifications for such a particular Charge? For it is certain, that not only the Congregation, but those who know any just Impediment against his Admission, have Place to object the same. Nor 4. Whether the Churches Liberty of Consent be inconsistent with, and destructive  
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unto the Presbytery's Power of Examination and Or-  
 dination? For these may stand together. But the  
 Question is, Whether it be necessarily required to the  
 right Vocation of a Pastor, that he be freely elected  
 by the Votes of the Eldership' (this is what he had  
 called the representative Body of the Church, but  
 whether he understands thereby the Presbytery or the  
 Kirk-session, I do not remember particularly if he de-  
 clares this) 'and with the Consent tacite or express  
 of the major or better Part of the Congregation, so  
 that he be not obtruded *renitente & contradicente*  
*ecclesia*? And p. 24. Neither in Point of Election do  
 we homologate with them who give to the collective  
 Body of the Church' (Women and Children under  
 Age only excepted) 'the Power of decisive Vote and  
 Suffrage in Elections, so that they carry along with  
 them the Consent of the major or better Part of the  
 Congregation.' Thus he distinguisheth between E-  
 lection and Consent, and ascribes Election to the repre-  
 sentative Body of the Church or the Eldership, and a  
 Liberty of consenting to the collective Body; but  
 whether of the major or better Part, he leaves unde-  
 termined; either would please him, and he would  
 be satisfied with a tacit Consent; all that he desired  
 was, that by the decisive Election of the representa-  
 tive Body of the Church, a Person might not be ob-  
 truded *renitente & contradicente ecclesia*, i. e. the  
 collective Church not opposing and striving against the  
 Settlement; which Opposition surely was not to pro-  
 ceed from Humour or causeless Prejudices, but solid  
 Grounds and relevant Exceptions, otherwise a de-  
 cislve Right of Election in the Eldership or Church  
 representative can be of no Use or Signification: This  
 Resistance and Opposition needs very much to be  
 qualified; for Instance, it has been known, that the  
 Body and Majority of a People have been at the first  
 for a Person to be their Minister, but whenever they  
 began to smell out that he had taken the Oath of Ab-  
 juration, or been the Scholar of such a Professor of  
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Divinity, or had accepted a Presentation, they have made the greatest Resistance and Opposition to his Settlement. If then these or the like Grounds, or no Reason at all for the Opposition (as some times it falls out) be at the Bottom of it, I think that such Resistance should no more be regarded, than the Opposition made by a Madman to a Physician that is called for his Cure.

But there are others who maintain, That the People or the Members of a Christian Congregation are the only proper Electors, that this is a Presbyterian Principle, a Reformation Principle, a Principle of the Church of *Scotland* founded on the Word of God, that the People have undoubtedly a Right to elect their own Pastors by a decisive Suffrage and Vote; and that they cannot transfer this Right by any Deed of theirs to others who may represent them or act in their Name, but that it must be immediately expressed by themselves; and finally, that this is necessary to make a pastoral Relation between the Ministers and such Congregations and parochial Churches, it being a Marriage-like Relation; for this, I vouch the Author of *Jus populi divinum*, and of the Queries upon the Overture of the last Assembly, and those he contends to be of the same principle with himself whom he mentions often in these performances: And the Author of the *Right of Patronages considered*; this is also with the highest Assurance asserted *viva voce* by many in Church Judicatories; for their flaming Zeal animates them to give a faithful Testimony to the Truth.

Now in my Inquiry concerning the State of this Controversy, I have endeavoured to know who are the people that have a Right to elect by a decisive Suffrage; and here I found 1. That by one Dash of the Pen of some Writers, the one Half of the People are scored out. Mr. *Gillespie* denies the Liberty of consenting to Women. *Miscel. Quest. p. 24.* and Mr. *Park*, against Patronages, *p. 22.* says, 'That the  
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' Word of God expressly discharges the Woman to be admitted to any Voice in ecclesiastical Matters, and for this cites 1 Cor. xiv. 34, 35. *Let your Women keep Silence in the Churches; for it is not permitted to them to speak; but are to be under Obedience, as also saith the Law*; and the Author of *Jus populi*, p. 126, — 130. they are not to have a Vote, for they are the weaker Vessel, and yet he says, 'Some Women are far more capable, to judge in the Choice of Pastors than many Men'; thus they are stronger, and these, in great Consistency with his Argument, must be refused a Vote. The Man is the Head of the Woman, *i. e.* as he explains it, he is honoured with Privileges above her; and he humbly thinks the Election of Pastors is one of them; and yet, in great Consistency, says, 'That in Christ there is neither Male nor Female': Again, 'Women are said under the Law to be circumcised in the Males' (tho' the Law never uttered such a Blunder) 'so now in the calling of Gospel Ministers, perhaps they may be said to give their Voices in them': But to make them some Kind of Reparation, he says, 'They should advise their Husbands and others having Power to elect, and to bestir themselves to the utmost (sure not to Riots and Mobs) to have a faithful Gospel Minister settled among them.' Again, tho' he will not give them a formal Voice, but thinks it sufficient that they give their Voices in the Men, yet he is for asking their Consent, as if they could not be reckoned to consent in the Men, as well as to give their Voice in them. This is a Sample of the strong and consistent Reasoning of this Writer.

2. Under this Head of the People, I find that the Author of the *Jus populi* excludes from this Right all such as are not of our Communion; for this he has the Authority of the Act of Assembly 1649, which says 'That where the Congregation is disaffected and malignant, in that Case the Presbytery is to provide them with a Minister'; but the Act of the last  
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Assembly extends it to all Heritors, being Protestants, and so had the Act of Parliament 1690 : This they do, because they have so much Charity for such Persons, that when they invite and call Ministers to undertake the Office of Pastors among them, and promise all dutiful Respect and Encouragement to their Persons, and Subjection to their Ministry in the Lord ; they look upon them to be sincere in this Profession. If we are disappointed of some, a great Reflexion turns upon themselves, but others we gain by this Method. By the Act of Parliament 1697, there was another Restriction laid on Heritors, which provides, 'That all Heritors voting in the Calling of Ministers at their Meeting for that Effect, shall swear the Oath of Allegiance, and subscribe the Assurance.' And the Author of the *Queries* p. 16. says, 'It is well known that these of the Episcopal Perswasion are Malignants to the Government of our only lawful rightful Sovereign King George, and the Protestant Succession in his Royal Family, being Favourers of a Popish Pretender'. By this it seems he would have all such obliged to take the Oath of Abjuration, renouncing the Pretender : And no doubt but he himself has taken it since the Accession of his present Majesty to the Throne. Protestant Heritors is such a General, that the Author of the *Queries* thinks fit to offer another Restriction, p. 20. and that *Socinians* and *Arians* should be excluded : I go in with him, and add, That Ministers, if there are any of them *Socinian* or *Arian* (as some suspect there are such among us) should not be Judges of the Qualifications of Persons to be admitted to the Ministry, but if convicted should be expelled from among us, and the Church purged of such Hereticks.

3. Under this Head of Election, I judge it will be agreed to, that ignorant Persons are a Part of the People who cannot have a Right to elect. Tho' we live in a Land of Light and Vision, and enjoy all the ordi-

ordinary Means of Instruction, yet alas too too many in most Congregations above thirty or forty Years of Age remain in Darkness and Ignorance, and still need to be taught which be the first Principles of the Oracles of God; now can such have a Right to chuse their own Pastors, who are under a present Incapacity of forming a Judgment of the Preacher's Doctrine and Gifts? Are there not many who cannot so much as repeat a Sentence of the Sermon, nor the very Text after they are come home from the Church? Surely such are in the Case of Minors who cannot chuse for themselves. Is it not then better that the Intelligent and Knowing chuse for them? Is not an Election made with Judgment and Understanding preferable to that which is made without it? And since the Ignorant are generally the most numerous in Parishes, Shall they be admitted to cast the Balance in a Call? Is not this to allow the Ignorant to chuse for the Knowing? These illiterate Persons may judge of a Cant and whining Tone, of a loud Voice and strong Lungs, of distorted Faces, and enthusiastick Motions and Agitations, which are generally the Grounds a popular Election proceeds upon; but as to a Minister's Doctrine and Gifts, they are very incompetent Judges.

4. Under this Head of Electors, it has been thought proper to exclude such as are immoral in their Life from the Rights of Election; the Directory *An. 1649* is for this, if the Persons are under Church Censure; the Words are, *No Person under the Censure of the Kirk, because of any scandalous Offences, is to be admitted to have Hand in the Election of a Minister.* On all Hands it is agreed, that such are not to be admitted to sealing Ordinances: But it has been doubted by some, if the Immoral are to be denied the Right of Election, provided they have Knowledge to make a right Choice: The Author of *Jus Populi*, pag. 13. lays down this Proposition, *That the People having Right to Vote, are such as have been admitted, or in the Judgment of Minister and Ses-*  
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tion, are capable of being admitted to sealing Ordinances. This Expression, *such as are capable of being admitted*, is so general and ambiguous, that I know not what to make of it. Had he said, or *such as are qualified to be admitted*, he had spoken intelligibly to me: It seems he is not so rigorous as to exclude all but those who are Communicants. I find in the Order laid down for the Election of Elders and Deacons for the Church of *Edinburgh*, that the Electors must be Communicants, *Vol. 2d. of Conf. p. 639*. There it is said, *The Sunday following in the End of the Sermon Forenoon, the whole Communicants are commanded to be present at Afternoon, to give their votes, as they will answer before God, to such as they think most able to bear the Charge of the Church with the Ministers*. And this Order is approved by the Assembly 1582, *Sess. 12*. Now if this should take place also as to the Election of Ministers, the State of the Question must no more proceed upon the major Part of a Parish, but the better Part of it. But here I despair of ever seeing the Difficulties resolved that will cast up, or meeting with such wise Regulations made, as shall remove all Debates and Contests in planting of Churches.

5. Under this Head of Electors, I observe it is much debated, whether only such as have their fixt Residence in a Parish, are the Electors and no others. The Parliament 1690, and the Assembly 1731, did not think it just and expedient to exclude Non-residing Heritors, from a decisive Vote in Elections; they probably judged, that Heritors would be concerned for the Interests of their Tenants, to have them provided with able Gospel Ministers: They no doubt also considered, that tho' Heritors did not at present reside in the vacant Parishes, they might afterwards take up their Habitations there; some have more Mansion-houses than one; in Summer they live in the one, and in Winter in the other. So that these Heritors have not a constant Residence in any one Parish, and

and must they have no Vote at all in the choosing of a Minister? An Heritor, besides his principal Mansion-house in one Parish, may have another in another Parish, where he designs that his Heir Apparent shall live when he comes to be married, or where his Lady shall live after his Death. In both which Cases it may be a Matter of great Moment to him, to have the parish comfortably planted with a Person of Merit and Sufficiency: And it may be thought extremely hard to refuse him a Vote in choosing a Minister to the Representative of his Family, and her that may be his Widow. And, *lastly*, It has been known, that some Heritors who have had no Residence in the Parishes, where their Land Estate is, have afterwards builded there, and become constant Residents: And some for the Value and Esteem of an able Minister, have hired Houses to enjoy the Benefit of his Ministry. The Author of *Jus Populi*, p. 11, 12. notwithstanding of all these Considerations, will by no Means allow such Heritors to Vote. As the Beauty and Charms of the fair Sex, could not move him to allow them a Vote, so the Honour, Greatness and Riches of Heritors, will not prevail on him to shew them the least Notice or Regard in this Matter; so Polite and Courteous is this Writer.

2. For understanding the State of the Question, I have laboured to know something concerning this Right it self. As, 1. If this Right is such as can be exercised by none, but by the People themselves, and I find that the strongest Asserters of it, have thought it highly Expedient, that the Exercise of it should be brought under some good Regulations to prevent such Disorders, as they did foresee might fall out to the Offence of all good Men, if the calling of a Minister to a Parish, were to be by a Poll Election, as in the Cities of *Edinburgh* and *Glasgow* and all popular Burghs, and in many other Parishes that are exceedingly numerous, such as *St. Ninian's*, *St. Cuthbert's*, &c. A lamentable Instance of this was a late Electi.



on at *Aberdeen*. The Assembly 1649 was for the Kirk Session exercising this Right for and in the Name of the People, as their Representatives: And the Assembly 1731, calls the Elders the Peoples Representatives in this Matter. But now some who are more zealous than wise, reclaim mightily against this, as an Invasion of the People's Right, and that it is an unalienable Right, that by no Deed of the People, or any other, can it be given away; no, not to Representatives, tho' they were chosen by themselves. This and a great deal more is said, and in much stronger Expressions by the Author of *Jus Populi*, p. 16, — 20. but in great Inconsistency with himself; when afterwards, p. 127. he says, *That in the calling of Gospel Ministers, Women may perhaps be said to give their Voice in the Men*; but this can never be said, unless it be said too, that the Men have a Right to represent them; they are their conjugal Representatives: And may it not be said with the same Equity of Children, arrived at the Years of Majority, but not yet *foris familiate*, that they give their Voice in their Fathers, their parental Representatives? And may it not be said with the same Parity of Reason of Servants, that they give their Voices in their Masters their civil Representatives. Such kinds of Representation are not condemned in Scripture, but are founded in the Nature and Relation of Things, and Consonant with good Order in Society: So that I cannot think that any Man in his Right Wits will oppose this, but one that is beside himself by an Affectation of Popularity, that cannot miss to make him do Things which must be condemned by all good and wise Men.

2. Upon the Head of Right, supposing this is in the People, I want much to know if it is equally in all the Members of the Congregation (I mean those who have been admitted, or are capable to be admitted to sealing Ordinances, as it is expressed in *jus populi*.) for Instance, if a Son that takes the Sarrament, but

but is not as yet *foris familiare*, has a Right equally with his Father, or a Servant that communicates, but is in Subjection to his Master, has a Right equally with his Master, the Father and Master being Communicants, this seems to plead against it, that both are to receive their lawful commands not only in matters civil, but in religious Things according to what is recorded to the great Honour of *Abraham*, Gen. xviii. 19. *For I know him that he will command his Children and his Household after him, and they shall keep the Way of the Lord, to do Justice and Judgment.* May there not be danger of the peace and quiet of Families, when the Children and Servants are regarded in Elections, in Opposition to the mind of Parents and Masters? Is there no Fear of introducing confusion and disorder by this method? I cannot be brought to think that any such Members have equally a Right with their Head: If this Reasoning is sustained, and that only the communicating Heads of Families have the Right, then I cannot think that it is equally in all these. Some are Heads of Families wherein are twenty or thirty Children and Servants, and others Heads of Families, where there are not three or four Children and Servants, as the most of Families are when exactly polled; now have these last a Right equally with the former? I am apt to think they have not: If this is opposed, such Opposers contradict their own principles, because by this Means no consideration is had of the twenty or thirty. I am not speaking here of Heritors *qua* Heritors or great Men as such; but of them as Heads of such numerous Families? I hope to hear of some excellent Proposals on this Head; and yet I find that in the Election of Ministers, Heritors and great Men as such were regarded. What I mean is not that which is ordained in the Act and Overture of the Assembly 1731, but that which I have in my View is to be found in the Form and Order of the Election of the Superintendant, Anno 1560, where those of Rank by their Birth or any other Way are allowed to have



have a decisive Vote. The Words are, *Sermon finished, it was declared by the Minister, that the Lords of the Secret Council had given Charge and Power to the Churches of Lothian* (this can never be understood of the collective Churches) *to chuse Master John Spottiswood Super-intendant, and that sufficient Warning was made by publick Edict to the Churches of Edinburgh, Lithgow, Striveling, Tranent, Haddington and Dunbar, as also to Earls, Barons, Gentlemen or others having and might claim to have Vote in Election to be present that Day at that same Hour.* At this Election Mr. John Knox was Moderator: And the learned Collectors of our Confessions assure us, that this Form and Order was intended to serve in the Election of all other Ministers: It is true this was a Charge of the Secret Council: But we see our great Reformer Mr. Knox did not scruple to moderate in such an Election: And if the Authority that our Collectors have, for saying that this Order was intended to serve in the Election of all other Ministers, be good, I am confident the Author of the *Jus populi* will review what he has advanced, p. 20.—26. and in his *Queries*, p. 4.—10. And now since I am got into this Subject, may I not be allowed to propose one Querie, whether in landward Congregations, where the Heritors reside, their Tenants, Subtenants and Cottars have a Right equally with their Masters? Are such whose Residence is very precarious, and at the pleasure of the Heritor every Year, so much to be regarded in calls, as those whose Abode is durable and lasting? Surely Ministers are called to officiate to those who shall be their Hearers, and who are to profit by their Ministry: And shall not those be regarded more in the Election who are to be their constant Hearers, than those who are but very uncertain Members of the Congregation? If a Persons residing in a Parish is necessary in order to his having a decisive Voice in the Election, then surely those whose Residence is most fixt and sure, must be the proper and principal Electors; and

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consequently this Right is not equally in all: Shall those who are not sure they shall enjoy the Ministry of the Person elected after a Term, pretend to have a Right equally with them, at whose pleasure and discretion it is that they can have it for another: When Tenants are deficient in their Rents, or are Bankrupts, Masters think themselves at full Liberty to turn them out, and consult their Interest to have more responsible and able Tenants; or if an Heritor has a Mind to take the Lands into his own Hands, or is to improve them by Inclosures, a Parish comes much to be depopulated: Now after this we may probably hear of fine Proposals to answer these Inconveniencies. In the Parish of *Sympton* in the Shire of *Merse*, there are no Parishioners, but the Heritor's labouring Servants, and I am informed it is much the same in the Parish of *Dawick*, and is it not in the Option, and at the Power of these Heritors to turn off these Servants every half Year, and hire others in their Room. Thus those Parishes may be changed entirely twice in one Year: For what good Ends then can a decisive Vote be insisted upon, where Parishes are in such a Situation? These and other Parishes in the same Circumstances, must oblige our high Sticklers for the People's Rights, to alter their Sentiments in some Cases, or at least these Servants to drop their pretences.

3. Shall this levelling *Doctrine* take place in Cities and Burghs? Must the meanest of the People, the Hewers of Wood and Drawers of Water, equally have a Right with their Superiors, the Magistrates and Town counsellours? Shall the very dregs of the People have as high a claim as the *honores* & *primores plebis*? Shall those who are very much supernumerary to them and the Elders, have the Decision of this Matter? And shall they chuse for their Betters. The best of our reformed Divines have given to the Civil Magistrate as such, a Right in the calling of Ministers. *Turret. loc. 15. Que. 24. § 6. Presbyteris quidem hoc (i. e. jus vocationis) competere*



*petere nemo negat, sed quia non sunt tota ecclesia, sed tantum pars ejus, non debent ad se solos vocationem rapere, reliquis membris ecclesie exclusis; sed etiam magistratui, si christianus sit, suas partes relinquere, non solum ratione persone, quia est ecclesie precipuum membrum, sed etiam ratione officii quia est divina legis custos & ecclesie nutritus, II. xlix. 23. i. e. "No Person denies that the Right of calling belongs to Pastors; but because they are not the whole church, but a part only, they ought not to appropriate it to themselves; but let the Magistrate, if he is Christian, have his Interest in it, both in respect of his Person, as he is the chief Member of the church, and as to his Office, being the Guardian of the Divine Law, and a nursing Father to the Church."*

4. On this Head of the Right I proceeded in my Inquiry to know, If it is so necessary to be exercised by the People themselves, that the pastoral Relation between a Minister and them, cannot be constituted otherwise? The Author or *jus populi* contends earnestly for this, page 16. He says, *Albeit the people have not only a Liberty of consenting, but also a Negative over such Electors, (i. e. over the Presbytery, Elders and Deacons, all joined together, for of these he is speaking) that is not enough, Christ having lodged the power of Election originally in the people:* And he gives his Reason why this is so necessary, page 48. *Because the Relation between a Pastor and his People is a Marriage-like Relation; and is not the Bride to have her choice as well as the Bridegroom? And though Father and Mother, and all concerned consent, there can be no Match unless the Bride consent also;* the Application being so easy, he has left it to his Readers. But if the pastoral Relation is to be measured by the Marriage-relation in this Particular as to consent and choice, I am afraid there will be Ministers in this church without a Marriage-relation to the

the People. Does not the Directory 1649 ordain, *That where the Congregation is disaffected and malignant, in that case the Presbytery is to provide them with a Minister?* Is not here a pastoral Relation? But where is the Marriage consent and choice? Are there not many congregations in the North, planted by Presbyteries with able Gospel-ministers, by Virtue of the devolved Right? And have not these Ministers a pastoral Relation to such Congregations, though they wanted the Peoples consent and choice? Have not Ministers a pastoral Relation to Females, to Persons not forisfamiliate, and to Servants, whose Consent is not so much as askt? Again, when the Majority in the Parish carries the Call, is not the Person ordained in a pastoral Relation to the Minority, tho' he was not their choice, nor had their consent? As when 200 carries it against 195, has not the 195 a Minister imposed on them against the Will of so many of the People? It is true that in many Matters of Difference the lesser Number of the Society ought to yield and give Way to the greater, else if the Minority is contentious, the Parish may be kept vacant for a good many Years; but if the 195 will stand out, where is this Marriage-relation between him and them?

5. As to this Divine Right of the People to elect their own Pastor, I have been solicitous to know if it be a natural Right they have. I remember to have heard this asserted in Church-judicatories, and that this is inseparable from the People, because the Nature of Things necessarily requires, that every one should have a Right to chuse his own Teacher; if it is so, I incline to think it had its Commencement with humane Nature, or as soon as there were Societies of Men in the World to be religiously instructed; but this does not appear: For before the giving of the Law, the Dignity and Honour of the Priesthood was one of the Rights and Privileges of the First born. And before the Word of God was



committed to Writing, the Patriarchs were the Trustees of Tradition, as to the Doctrines of the true Religion, and were the High Priests in the publick Assemblies for the Worship of God. Now probably there were greater and lesser Societies of Men, who joined together for Divine Service; in the lesser Societies, which might consist of some Families associated together for it, their Priests were the First-born, or the chief of these Families; for Instance, when the Posterity of *Noah* multiplied: I look on *Noah*, who was a *preacher of Righteousness*, to be High Priest; and whenever his Family began to multiply, and to disperse themselves, I believe that *Shem* was Priest to these Families who descended of him, by his Right of *Primogeniture*. And as to *Japhet*, he being Head and Prince of these Families who sprung from him, he officiated to them as their Priest and Teacher. Of Priests, I think, *Moses* speaks, before the giving of the Law, before the Priesthood was settled in *Aaron* and his Sons, *Exod.* xix. 22. *And let the Priests also which come near to the Lord sanctify themselves.* And *Exod.* xxiv. 5. *And he sent young Men of the Children of Israel, which offered Burnt-offarings, and sacrificed Peace-offerings of Oxen unto the Lord:* Where, as I am informed, *Onkelos* has it, *He sent the First-born of Israel, who offered, &c.* For God had sanctified these unto himself, *Exod.* xiii. 2. And, in regard of their officiating to their respective Families, are said to come near to the Lord. And after the giving of the Law, the Tribe of *Levi*, by a Divine Constitution, came into their Place, as we are told *Numb.* viii. 14. ——— 19. *Thou shalt separate the Levites from among the Children of Israel, and the Levites shall be mine——— for they are wholly given unto me from among the Children of Israel, instead of such as open every Womb, even instead of the First born of all the Children of Israel.* And as long as the *Mosaical* OEconomy continued,  
all

all the Priests were of the Posterity of *Aaron*, and they succeeded not by the Election of the People, but by the *Law of a carnal Commandment*. Thus the Office subsisted in them, till there was a Change of that Priesthood by *Jesus Christ*: The Right then of electing Ministers cannot be a natural Right, since God had kept Men back from the Exercise of it: For now to the Space of four thousand Years a Right that for so long a Time could not be exercised, must have been in vain; and a Power that for all that Time was never reduced into Action, must have been no Power. There were indeed other Pastors given and sent to the *Jews* under the Old Testament, upon several remarkable Occasions, I mean the Prophets; but they being extraordinary Officers were immediately called by God without a humane Election. And in the Beginning of the Gospel state, *John the Baptist* was a Messenger that God himself sent before our Saviour, to prepare his Way; and the Lord *Jesus Christ*, the prime Minister of the Church, the High Priest and chief Apostle of our Profession, had an immediate Call and Mission from God the Father; and he having instructed his Disciples and Followers, he did not leave it to them, while he was on Earth, to elect and chuse any of their Number to teach and instruct others, but kept that Right and Power in his own Hands; and accordingly he first made choice of twelve to be his Apostles; *Have not I chosen you twelve?* John vi. 70. And afterwards called the seventy Disciples to the Work of the Ministry, besides the Evangelists, as *Mark, Luke, Timothy* and *Titus*; and the Prophets in the first Age of Christianity, were called by God in an extraordinary Manner, and indued with the Gift of Inspiration; and, as I think, I will be able to show afterwards, that in all the New Testament Writings we have no Order, or approved Practice mentioned in these writings, that establishes this Right and Power to the People. These Consi-



derations have determined me to conclude, that this is not a natural Right of People: But because it may be said, that tho' this Right is not a natural Right, yet the People have a Divine Right to chuse their own Minister, I applied myself to search the Scriptures, if I might understand when it was given them; and this leads me to the third Thing I proposed and laid down, *namely*, The Examination of these Arguments commonly used for the Proof of such a Right.

### S E C T. III.

**A**FTER what I have said in the former Paragraph, it surprized me not a little to find some Writers adducing Arguments from the Old Testament; the first that came in my Way is taken from the Consecration of *Aaron* and his Sons to the priestly Office: This they say was with the Consent of the People; because, when this was to be performed, *Moses* is charged, *Lev. viii. 3. To gather together all the Congregation unto the Door of the Tabernacle of the Congregation.* To this an Answer quickly occurred, that the Consecration of *Aaron* and his Sons was their Ordination to the Office, and not the Election of them to it; for this was done before by God himself: And God having made Intimation of this to *Moses*, he appointed him to do the Work of a Priest at this Solemnity: And this Ceremony being to be gone about with great Pomp, and by the Rites of Washing, Cloathing, Anointing, and the offering up of Sacrifices, he would do it *plebe presente*; not that it was necessary to have their Consent to Persons, whom God himself had chosen, and who were to be ordained at his Command, and by his Direction: But that the People might be convinced and assured, that God had called them, *Heb. v. 4.* and that they were not Intruders into the Office, and that none else ought to usurp it, and that they

they should reverence, honour, and obey them: The Priests being ordained for Men in Things pertaining to God, the whole Congregation was summoned to attend at the Door of the Tabernacle to admit and receive them.

A second Argument I lighted upon, taken out of the Old Testament, is brought from the Power and Liberty given to the Jews, even under a Theocracy to choose their own Rulers, *Deut. i. 13. Take ye unto you wise Men, and understanding, and known among your Tribes, and I will make them Rulers over you:* Where the Election is left to the People, and their Instalment is by *Moses* reserved to himself. But this Argument afforded me no Manner of Satisfaction: Because, 1. The Rulers spoken of were not Ecclesiastical, but Civil, and were to judge in civil and criminal Affairs. For, *ver. 12. he had said, I cannot my self alone bear your Cumbrance, and your Burden, and Strife.* And *ver. 16. he tells them, that they were to bear the Causes between their Brethren, and to judge righteously.* Now the Consequence is not good, that because the People elected their civil Judges, therefore they have a Right to their Church-rulers; for had that Reasoning been good, God would have left the Choice of their Priests to them, as he had left the Election of the inferior Magistrates: But so it is that God did it not, but did choose *Aaron* and his Sons, as is evident from what I have said on the first Argument. But, 2. When I consulted the parallel Text on this Subject, *Exod. xviii. 15. I learned that Moses was the sole Elector; for there it is said, That Moses chose able Men out of all Israel, and made them Heads over the People, and Rulers over Thousands.*—If it is said that *Moses* chose them with the Consent of the People; then by this Means the Consent of the People was posterior to the Election made by *Moses*: But what the People did, *Deut. i. 13. was prior to the Election; and it is held out in these Words, Take*  
ye



*ye unto you wise Men* : The Meaning of which is, consider who are the best approved Persons in your several Tribes, let them have your Testimony, and present them before me, that I may make a Choice out of them : Surely *Moses* might receive or reject them as he pleased and thought fit. Mr. *Henry* has has this Remark on the Place, 'That *Moses* did not leave the Election of the Magistrates to the People, who had already done enough to prove them unfit for such a Trust ; but he chose and appointed them, some for greater, others for lesser Divisions, the lesser, probably, subordinate to the greater.' All they did then was to give their Certificate, as to the Abilities and Qualifications of the Persons. When such Arguments as these are produced, (and I can meet with no other from the Old Testament) I must think that the Asserters of this Doctrine must be exceedingly pinched for the Proof : And truly those Divines who bring them, speak with great Diffidence of them, and lay no great Stress upon them.

This divine Right therefore by the most able Defenders of it, is said to be a Right purchased and given to them by the Lord Jesus Christ ; and this natively brings me to the Examination of those Argument brought to prove it from the New Testament ; and after I have duly weighed them, I am strongly inclined to be of Opinion, that these Passages rather fight and militate against, than establish or support it ; or at least that the Right of Election belonged for the first Century to the Church-Representatives, and that they only exercised it. It is undeniable, (as I have already shewed) that before the Ascension of our Lord and Saviour into Heaven, the Ministers of the Church were immediately chosen and called by himself, without the Consent or Suffrage of Men : The Proof then must be taken from what we have recorded to be done in this Matter after the Ascension of our Lord, till the closing of the Canon of

of the New Testament by the Book of the *Revelation* of *John* the *Divine*: And the Book of the *Acts* of the Apostles, and the Epistles of the Apostle *Paul* are the proper Store from which the Arguments and Proofs are to be fetcht.

The first Argument is taken from the Call of *Matthias* to be an Apostle, which we have related, *Acts* i. from *ver.* 15. to the Close. I shall propose it in its full Strength, and with all its Advantages. The Disciples, to the Number of One hundred and twenty, did nominate and choose two of those, who had accompanied Christ in his Ministry, that one of them might be a Witness of his Resurrection; and accordingly the One hundred and twenty appointed two, *ενομα δύο*; here is the Choice of the Church. And *ver.* 26. it is said *Matthias* was numbered with the eleven Apostles, *εγχατενοιάσθη*, which *Beza* renders, *Simul suffragiis electus*. And *Erasmus* thus, *Communibus suffragiis allectus*. i. e. he was chosen by common Suffrage: Here is the Consent expressed by a Word of strong Import and Signification; for the Word *ἐνομα* signifies a *Stone* or *Counter*; and with these it was the Custom of old to give their Suffrages in passing of Judgment, and granting of Commissions, and the inspired Historian alludes to this Custom: Thus he had the Choice and Consent of the Church, that this might be a Precedent for future Ages; and if there was the Consent or Concurrence of the People to the Election of an extraordinary Church-officer, much more should this be had in the calling of the ordinary Pastors thereof. Thus I have done Justice to the Argument, and because all Writers on this Subject use it, and it is now in the Mouth of every Body, I shall pay a due Regard to it, and consider it with great Attention. And, 1. It is agreed to by all that, the Church-officer now to be chosen was an extraordinary one, an Apostle, who was to fill up the Vacancy made in the College of the Apostles, by the Wickedness and Death



Death of *Judas* the Traitor: But such had an extraordinary and immediate Call from *Jesus Christ*; for thus were the Twelve chosen at the first, *Mark* iii. 14. *And he ordained Twelve that they should be with him, and that he might send them forth to preach.* And last of all, the Apostle *Paul* was chosen immediately by our Lord, for so he testifies of himself, and his Testimony is true. *Gal.* i. 1. *Paul an Apostle, not of Men, neither by Man, but by Jesus Christ and God the Father, who raised him from the Dead.* He was called by Christ in his glorified and exalted State. *Acts* xxvi. 16. i. e. *Jesus Christ has appeared unto thee for this purpose, to make thee a Minister and a Witness.* No Apostle, nay not the College of the Apostles either elected or ordained another Apostle, but such was chosen and ordained by *Jesus Christ*. And so was the Apostle *Matthias*, for the Prayer put up to Christ on his Throne by the Apostle *Peter*, in which they all joined, plainly intimates this, *Acts* i. 24. *Thou Lord, which knowest the Hearts of all Men,* (so that we need not open up the Cause and Matter to thee, thou not being ignorant of the Abilities and Qualifications of Men, which are thy own Gifts) *shew whether of these two thou hast chosen.* God had already made the Choice before the One hundred and twenty did any Thing about it; and of this the Apostle *Peter* had Knowledge by Revelation: Would then he or any of the Number pretend to make an Election, when *Christ* had done it already for them? By this Revelation he was conducted, both in his Speech to the One hundred and twenty, and in his Prayer to the Lord *Jesus Christ*: For tho' these two, *Joseph* and *Matthias*, were probably the most eminent and best approved of the seventy Disciples, for Knowledge and Wisdom, Faith and Holiness, yet they were not left to draw the Inference; ergo, God hath surely chosen one of them: For had that Reasoning been good, *Paul*, who had been a

*Blas-*

*Blasphemer, a Persecuter and Murderer*, had never been called to the Apostolate. This Observation made from the Prayer of the Apostle *Peter*, that God had revealed to him that he had made choice of a twelfth Apostle, lays a clear Foundation for the Declaration he makes to the Meeting, *ver. 21, 22. Wherefore of these Men who have companied with us all the Time that the Lord Jesus went in and out among out us, must one be ordained to be a Witness with us of his Resurrection? And why so? but because the Lord Jesus had ascertained him, that he was to keep up the Number of the Apostles, and that he had chosen one to fill up the Vacancy. An* *apostle* *Quasi*, there must be a Witness; for as our Translation is not literal enough, so it may lead the unwary Reader to think, that the Apostles, with the rest of the Meeting, were just now to proceed to ordain him. Again in this Address to their exalted Prince and Saviour, at God's right Hand, the Apostle prays not that he would direct them to make a right Choice, as certainly he would have prayed, were they to make the Election. But his Request is, *That the Lord Jesus, who had assured him, that he had chosen one, would give them to know by a certain Evidence, who the Person is.* Some of the Ancients, as *Origen*, *Homil. 23. in Josuam* and *Augustin* in *Ps. 30.* were of Opinion, *That this was declared by a Ray of Light coming down from Heaven upon Matthias, and that this sufficiently pointed him out.* Others maintained, *that God declared him to be the Person, by bestowing on him at that very Moment of Time the Gift of Prophecy.* What Grounds they had from Tradition for these Things I know not; but if either of these Ways was Fact, the call to him was as immediate and extraordinary, as if the Lord Jesus had said to him by an audible Voice (as he did afterward to *Paul*) *I make thee, Matthias, a Minister and Witness of these Things:* But I am of the Judgment, that the Lord Jesus answered the Petition, by the Instinct and



Inspiration of the Holy Ghost, signifying to them, *That he was to declare his Choice, by over-ruling a Lot which he would have them to make, thereby reviving the ancient and solemn Appeal to Heaven, which was often used under the Old Testament, for a Determination and Decision in difficult and doubtful Matters, by the Direction of God himself.* Thus he ordered the Land of Promise to be divided among the twelve Tribes by Lot. *Numb. xxxiii. 34.* And this was done accordingly by *Joshua, chap. xviii. 10.* And when the Anger of God was kindled again the Children of *Israel* for the accursed Thing in the Camp, *Achan* was taken by Lot, *Josh. vii. 18.* Thus was *Saul* designed King by Lot, and thus *David* settled the Order of the Priests by Lot, *1 Sam. x. 20.* They looked on this as a divine Oracle and Response, and as a Sentence pronounced from Heaven to remove their Doubts, to compose their Differences, and to resolve them in intricate Cases; and the same Reputation it ought to have here: So that when the Lot fell upon *Matthias*, there was the Decision of Christ; and the falling of it on him, was to me as immediate a Determination from the Lord Jesus, as if he had declared it by the Imposition and laying on of his own Hands upon him. As to the Manner of casting Lots, we are left to a great uncertainty about it. *Solomon* says in the general, *Prov. xvi. 33. The Lot is cast in the Lap, but the whole disposing thereof is of the Lord.* But whether at this Time when *Matthias* was chosen, the Lot was cast into a Lap, Urn or any other kind of Vessel, it is not material for us to know. But the Learned *Grotius* gives a very plausible Account of the Way of determining by Lot at this Juncture. He says, *the Lots were put into two Urns, the one containing two distinct Papers or picces of Wood, with the Name of Matthias writ or cut out in the one, and the Name of Joseph in the other, and in the other Urn there was put in a Lot with the Word Apostle writ or cut out, and a Void or blank*

blank Lot, wherein nothing was writ: And the Name of Joseph being drawn out of the one Urn, and a void Lot out of the other, they thereby knew, that the Lot that had the Name *Apostle*, fell upon Matthias. This Account agrees well with the Words in the Greek *ἡ σφραῖς κληροῦς ἑνὸς*, and they gave forth the Lots of them, viz. of *Joseph* and *Matthias*, that i. e. the Names of *Joseph* and *Matthias* writ or cut, as I have just now represented to have been cast into the Lap, Urn, or any proper Corripient. Thus it is evident, that *Matthias* was chosen by the Lord Jesus alone, and not by Men: Not by the other Apostles, and the rest of the Hundred and Twenty. 2. The most that can be gathered from this Context is, that the Hundred and Twenty made a Leet of two Persons, in which they must be supposed to have acted either by their own Skill as Men, or by the Direction of the Holy Ghost: If by the former, then the Reason why they pitched on two, and neither more nor less, will not be easily assigned. And the Reason why they put these two and not any other two in the Leet, must be, *that they were the most Eminent of all the Seventy Disciples*. But when they have made this Leet, do they proceed to an Election? Not at all. And now, what was it that hindered them? Was it, That the two were so equal in Abilities and Qualifications, that they knew not which to prefer? And if so, then there was no Choice made by them: Or were they of different Sentiments, as some have thought, and that the Majority inclined to *Joseph*, because he is first mentioned, and with some speciality called *Barsabas* (which some say signifies the Son of an Oath, and others the Son of Peace) and surnamed *Justus*, a Roman Name, because he was a Person remarkable for Faithfulness, Peaceableness and Justice. But if the Majority was inclined for him, then the Decision of God was given against him. I rather think that in the whole of this Matter, they were led by a divine extraordinary Conduct from first to last: And



that they were by the Divine Superintendency directed to these two: And accordingly ~~say~~ they placed, sifted or presented two, *viz.* before the Lord, for our Translation, *they appointed*, is too strong a Phrase to be used in an Affair, where God was alone to appoint, elect and call: And the Authority of Apostle did not depend on any such Deed of Men. So then, the plain Sense is, that by the Divine Superintendency and Direction they presented two of their Number, that the Lots of these two may be given, and that God might over-rule it to fall on the Person that he designed for filling up the Vacancy. Do not the 120, by this Procedure appeal to God for his Decision, and so remove the Cause from their own Court, and their Capacity of judging, to the Bench of the Divine Wisdom to give the Decision? But 3. Let us enquire, who they were that made the Leet, or sifted and presented, or appointed. The *English Annotations* say, That they were not the 120, but the Eleven Apostles mentioned *ver.* 13. But because, as I am not to be determined by human Authority in this Matter, so I shall not pretend to impose it on others; but shall go in with the commonly received Opinion that the 120 were they who ~~are~~ appointed (for I shall allow the Argument that Word of strong Import). But then, who were these 120? Surely the Eleven Apostles were of this Number, and the 79 Disciples, for they were the Persons that had accompanied Christ from the Time he had went in and out amongst them: And of these, one must be taken, or be a Witness of his Resurrection, *i. e.* be an Apostle. Now this determines one to think that the whole seventy were there; for it is not to be thought that they would take the Advantage of the Absence of any of these: If then they were all present, they and the Apostles make up the Number of eighty one. Who were the other thirty nine is not so harmoniously agreed to by Interpreters; some think they were

were others Christ had well instructed, and so were designed for the Ministry, to be employed in that Work, when the Exigencies of the Church required this: Others say, That the thirty nine were the Wives of some of the Apostles and Disciples, and these devout Women that had followed our Lord from *Galilee*, and the Mother of our Lord was one of them, as we are informed from *Acts* i. v. 14. But to let the Argument have its full Strength, I shall allow that these thirty nine were Lay Disciples of Christ, and not in any sacred Offices: What is gain'd thereby? Does it not hence appear, that there were eighty one Church Officers who <sup>1500</sup>, appointed two with the thirty nine Laicks? Will any be so ridiculous as to think that the thirty nine made the authoritative Appointment, and that the Apostles and Disciples stood by and did nothing? Since then the eighty one Church Officers did appoint two, Is not here a Precedent for future Ages to walk by, and for the Church Representative being the proper Electors? If there is here a Precedent laid down, one would think that it goes in Favour rather of the Majority, than the Minority of Electors. Why then is the Right of Election now a-days claimed as the Property of the People, in Exclusion of Ministers, who, according to the present Doctrine are the Court that presides in the Election? Did the Apostles and the seventy Disciples injuriously invade the peculiar Right and Privilege of the People? Did they wisely and cunningly take this lucky Hit, when they were sure of the Majority on their Side by two to one? Again, making still the Concession that the thirty nine were the People and private Disciples, can this be a Precedent for Election in future Ages of the Church by the People, since so few of them were there? Why did they not assemble the five hundred Brethren who were Witnesses lately of our Saviour being alive again? For the Apostle *Paul*, 1 *Cor.* xv. 6. says, *He was seen of above five hundred Brethren at once*: Might not these



these be assembled at *Jerusalem*, as well as they had been on a Mountain of *Galilee*? Or if they could not do it with Safety, Why did not they repair to that Mountain, or any other retired Place, and having got a full Meeting, proceed to the Election? And thus lay down a clear Precedent for Elections in the following Ages of the Church. Again, Were there no more at hand, and in the City of *Jerusalem* than thirty nine private Disciples? Is it not said, *John* ii. 23. *When Jesus was in Jerusalem at the Passover, in the Feast day, many believed in his Name, when they saw the Miracles which he did?* And afterwards when he was in *Jerusalem* at another Time, *John* vii. 31. Is it not said, *That many of the People believed on him, and said, When Christ cometh, will he do moe Miracles than these which this Man hath done?* I know no Reply can be made to the above Reasoning, but this, that the Commission of the seventy Disciples was but Temporary, that their Office was now laid aside: And that in the Church at this Time there were no other Ministers than the Apostles: This is indeed advanced *Jus populi* p. 30. But who told him this? Where hath he made this Discovery? How knows he but their Commission lasted as long as that of the Apostles? When was their Commission taken from them? Had they done any Thing to deprive them of it? Or was there no more Use for them in the Work of the Ministry? Had not the Apostles received a Commission immediately before the Ascension of our Lord, *to go and disciple the Nations, to go and preach the Gospel to every* (reasonable) *Creature?* And had they not need of the Disciples for their Assistants? Was there not more Use for them when the Gospel was to be carried thro' the World, than when it was confined to the *Jews*? And were they not accordingly employed instantly in this Service? Can we think that the unchangeable God is so fickle as to take their Commission from them, and repon them within a very few Days after? And did

did he not on the Day of *Pentecost*, which was but  
 ten Days after our Saviour's Ascension, qualify them  
 in an extraordinary Manner for it; by the Illapse of  
 the Holy Ghost upon them. 4. There still remains  
 one Part of the Argument, on which some Stress is  
 laid, which is in *ver. 26. And Matthias was num-*  
*bred with the Apostles* *συγκαταλόγῳ* which ac-  
 cording to *Beza* and *Erasmus*, signifies to chuse by  
 common Suffrages: This I own; but then it will  
 not be refused, that sometimes it simply signifies to  
 count and number; so this same inspired Historian uses  
 it, *Luke xiv. 28. Which of you intending to build a*  
*Tower, sitteth not down first, and counteth the Cost*  
*ἡγοῖται* *Acts xix. 19. Many of them which used*  
*curious Arts, brought their Books together, and*  
*burned them before all Men, and as they counted the*  
*Price.* *συγκαταλόγῳ* And *Rev. xiii. 18. Let him that*  
*hath Understanding count the Number of the Beast*  
*ἡγοῖται* Now the Context is to determine us in  
 which Sense it is to be taken: And it appears evi-  
 dently, that we must take it in the last Sense.  
 Wherefore our Translators give us a just Version of it,  
 when they say, *he was numbred with the Apostles*:  
 For the Lord Christ having chosen *Matthias*, and  
 declared it by over-ruling the Lot, it must be very ri-  
 diculous to say, that he was chosen of the People,  
 for this is to say, that after they had referred it to  
 the Decision of God, they took the Cause again into  
 their own Hands, and elected him by their common  
 Suffrages: The plain Sense of the Words is this, that  
 the Lord Christ having disposed the Lot, so as to fall  
 upon *Matthias*, he was called one of the Apostles,  
 he was received by the Apostles into the Number:  
 And their Society and the Church regarded him as an  
 Apostle. The numbering relates as well to the A-  
 postles Admission of him into their College, as the  
 Acknowledgment of him as such a Church Officer by  
 the People: *Diodati* on the Place says, *He was*  
*numbred not to be made an Apostle, but only to be*  
*ac-*



*acknowledged as such a one.* Thus I have delivered my Thoughts and Sentiments on this Argument, and before I proceed further in my Inquiry, I thank the only wise God, who assisted me and enabled me to reason after this Manner: *Not unto me, not unto me, but unto him be the Glory:* And I humbly implore his Direction in what remains of my Inquiry. *O Father of Lights, grant that in thy Light, I may see Light, and learn the Truth, as it is in Jesus Christ.*

The 2d Argument adduced on this Subject is taken from *Acts vi. 1,—7.* where we are told, that the Election of the Deacons was made by the Multitude of the Disciples, for the twelve Apostles having called them together, upon a Complaint of the *Greeks*, that their poor Widows were neglected in the daily Ministration, or that they were not so much and well taken Care of as the Widows of the *Hebrews*, appoint and order for the redressing this Grievance, that seven Persons of honest Report, full of the Holy Ghost and Wisdom be set over this Business: And this having pleased the Multitude, they did chuse Stephen, Philip, Prochorus, Nicanor, Timon, *Armenas*, and Nicolas, and set them before the Apostles, and accordingly they ordained them by Prayer and Imposition of Hands. Now if the People had a Right to chuse their Deacons, then *a fortiori*, or much more, they have a Right to chuse their own Pastors. If they had a Right to chuse those to whom they were to entrust their charitable Benevolence, for the Relief of the Necessities and Wants of the poor, much more have they a Right to chuse those, to whom they are to commit the care of their Souls. I am exceedingly mistaken if I have omitted any Thing that adds Vigor and Life to the Argument: No: I shall deal fairly, and act a candid part in this Enquiry. Now, here I understand, that a learned Body of Ministers reason quite otherwise: I mean the Ministers of London in their *jur. div. min. p. 129*, they say, 'That an Argument

*'a minore ad majus* is not good and valid.' And it is certainly so. The Freeholders of a Country have a Right to chuse their Representatives in Parliament: But they have not a Right to chuse their Sovereign, nor any Officer of State, nay not the Sheriff of the County. And as to the Matter in Hand, People may be qualified enough to chuse such, as can manage the Poor's Money, and yet be very unfit Judges, whether a Person be apt to teach them. But this I pass, and come to that which may be judged to be satisfying. I then observe, 1. That our Lord in the Time of his own publick Ministry on Earth, tho' he had a Treasurer who kept the Bag for the Necessities of those who were as his Domesticks or constant Attendants, yet he instituted no such Church Officer for the care and relief of poor Widows and other indigent Persons, nor gave any Directions about it; nay I do not remember to have read, that under the Old Testament, they had any such Church Officers, tho' they had the Poor with them then, as much as we have under the Christian Dispensation, and the Apostles themselves were made, not by their Master, but by the People, the Trustees and Overseers of those Goods, Monies and Possessions devoted to the Poor by the first Converts to Christianity, for they brought them and laid them down at the Feet of the Apostles, and it did not come into the Mind of the Apostles to quit the Administration, or put it in the Hands of others till this Event came about, that some of the Poor were not so carefully looked after and relieved, not thro' any Unfaithfulness or Misdadministration of the Apostles, but thro' the other important Work they had to do, which was to be their chief Concern; for *ver. 4.* they say, *We will give ourselves continually to Prayer, and the Ministry of the Word*; these being the two great Employments of the Apostles, to pray unto God for the People, and to speak to the People from the Lord; so that if the Apostles could have got these discharged, the other at the same Time not neglected, I do not

H

think



think they would have resigned their Trust, but since both could not be exactly attended to, they cheerfully give it up. 2. I want very much to know, whom we are to understand by the Multitude of the Disciples, who were assembled together on this Emergent; it is not very probable, that the Multitude of their own Disciples, or their own Converts were assembled, for by this Time there were above Eight thousand of these, for *Acts ii. 41.* there were Three thousand converted by one Sermon of the Apostle Peter, and *chap. iv. ver. 4.* we read of Five thousand more, and to them we may add these mentioned, *chap. v. 14. Multitudes both of Men and Women, Believers, were added to the Lord.* Now \*is it likely that so many thousands of People should be convened to chuse seven Persons to administer the Churches small Revenue or other charitable Benevolences? Was it to be expected, that so many Persons of different Nations and Tongues, and who were divided by their Murmuring, would agree in such an Election? Now since all were not admitted to be Electors of Deacons (as this partly is made out already, and shall be more fully made evident just now) hence it cannot be concluded, that all the People have a Right to choose their own Pastors. May it not be thought, that the Multitude of Disciples now assembled, were Christ's Disciples: The 120 mentioned, *Acts i. 15.* and on whom the Holy Ghost descended by a plentiful Effusion of Gifts, *Acts ii.* and that which may make this probable, is the Advice he gives them to *look out seven Men among you full of the Holy Ghost*, and it doth not appear that the Holy Ghost fell upon others than the 120: And now the Apostles who were first entrusted with their charitable Contributions, not being able to attend this Matter, and the more important Duties of their Office, they make a Proposal that those Officers of the Church next to themselves, be entrusted with it; For it may be thought, he is not laying down a positive Order and peremptory Degree and Constitution,

on, establishing a new distinct Officer in the Christian Church to be always and in all places, where there are particular Churches, but is suggesting a prudential Consideration to them, taken from Expediency, considering their present Situation and Circumstances, *ver* 2. it is not Reason, or rather consonable, *οὐκ ἀρεσ- τοῦ* it is not pleasing, fit or expedient. Now if this is the case, the Argument will not conclude, because those Electors of them were mostly, if not all of them Pastors, and so concludes rather for their Right of Election, than for the People's. Again, may it not with great Appearance of Reason be thought, that the Multitude the Apostles speak to, were only such as were Contributors to the *Ærarium*, the common Treasury of the Church? Surely the Poor who were relieved and supported out of it, had no Claim to chuse, nay even the Rich had none, unless they had contributed to make up the Fund; so then the Apostles do not speak to them to look out seven Men, because of a supposed Right, that the People have to chuse all their Church-officers, for these Persons never had as yet any such Thing made known to them, but were admitted to elect out of Equity and Justice, as having a Concern in the Stock, as being made up out of their Goods, Moneys, Lands, and Possessions. If this is the Case, from this it cannot be inferred, that all the People have a Right to elect their own Pastors; since it is certain, that all the Disciples did not elect the Deacons. 3. It may be askt, if the Apostles left them to their full Liberty, and to use their own discretion in the Choice; it would seem not, since they are restricted to these who were full of the Holy Ghost, that is, these on whom the Holy Ghost descended on the Day of *Pentecost*, for they say, *ver* 3. *Look ye out Men of honest Report, and full of the Holy Ghost;* so that if some of their own Number were never so well qualified for the Trust by their good Character, by their Fidelity and Prudence, yet not being full of the Holy Ghost, the Apostles would not appoint them over that Business. And it is highly probable, that



the Persons chosen were of the Number of the Seventy Disciples. *Stephen* did preach the Word as we learn from *Acts vii.* and *Philip* did baptize and preach *Acts viii.* Again are they not restricted to a precise and determined Number, which they must by no Means exceed ; they are to chuse Seven, neither more or less ; and this appears the more to be a limiting their Liberty and Freedom of Election, that the *rationale* of it is not so perceptible and evident. 4. May it not be thought to be a vulgar Way of speaking, when the Deacons are called Church-officers, into which Persons are led by a wrong Translation of *1 Tim. iii. 13. Let these be first proved, then let them use the Office of a Deacon,* in the Gr. *εἰτα διακονήσας,* so let them minister, and ver. 13. *for they that have used the Office of Deacon, well, purchase to themselves a good Degree,* Gr. *οἱ γὰρ καλῶς διακονήσαντες,* for those who have ministered well. In the Original there is no Word in these two Verses, for our Word *Office*, and I suppose our Translators, who were for the Hierarchy, would by this give Countenance to their Opinion of three distinct Officers in the Church, the Bishop, Priest and Deacon. And the pious and learned Mr. *Rutherford*, so far as I can gather from his Reasoning in his *due Right of Presbyteries*, does not maintain, that the Deacon is a Church-officer ; for his Words are, *p. 169.* ' It is not said, That Deacons were ordained with ' Fasting and Prayer, *Acts vi.* as the Elders are chosen ' in every Church, *Acts xiv. 23.* and as Hands are ' laid on *Paul* and *Barnabas*, *Acts xiii. 3, 4.* but ' simply that the Apostles, *Acts vi. 6. prayed and ' laid Hands on them,* which seemeth to me (says he) ' to be nothing but a Sign of praying over the Deacons, and no Ceremony or Sacrament conferring on ' them the Holy Ghost, (which I did not understand so well ; for if the Deacon is a Church-officer, and if Imposition of Hands was used at the first at his Ordination, this Rite is to be continued in the Church at his Ordination, as well as in the Ordination

nation of Pastors ; for as to neither is it a Sacrament conferring on them the Holy Ghost.) And towards the Foot of this Page, he says, ' The laying on of Hands was taken from the Custom of Blessing amongst the *Jews* ; *Christ laid his Hands upon young Children, and blessed them*. yet did he not thereby design them to any Office.' If then this is yielded by so great and good a Man, that the *Deacon* is not a Church officer, can the Argument conclude, that because the People elected *Deacons*, who are not Church-officers, therefore they have a Right to chuse Pastors, who are properly and strictly Church-officers?

5. Our Church seems not to have a positive Opinion, that *Deacons* are Church-officers ; for there are many parochial Churches in *Scotland*, where there are no *Deacons* at all : And I believe if this is narrowly inquired into, they will be found only in some Cities and populous Burghs and Parishes. In the first Century it was so in Churches ; for tho' we read of them in the Church of *Jerusalem*, *Acts vi. of Philippi*, *Philip. i. 1.* and probably in *Corinth*, *1 Cor. xii. 28.* and *Ephesus*, *1 Tim. iii. 11, 13.* yet we read not of their being any at *Rome*, *Antioch*, *Galatia*, *Coloss*, and other Churches. And now as the most Churches in this Nation, there are not only no *Deacons*, but there is Occasion for them : The Minister and Elders are sufficient to manage and oversee the Poor's Money. In these Parishes the Ministers have not that Reason for chusing them that the Apostles had ; and besides, in some Parishes the Poor are few, and in others their Collections come to such a small Account, that I am ashamed to name the Sums thro' the whole Year ; in both which Cases, such Officers can be of little Use or Service. If the civil Magistrates shall take upon them the Care of the Poor, and relieve them in their Necessities, the Use of this Officer fails ; and even in the City of *Edinburgh*, tho' there are *Deacons*, they are not the Trustees and Overseers of the



the Treasury, on which the Poor are subsisted. Again, when in any particular Church of this Nation *Deacons* are ordained, the Apostolical Practice of laying Hands on them is not regarded, but laid aside; for which there can be no Reason, if they are Church-officers. And, *lastly*, As to the Electors of them, our Church made the Communicants sole Electors; for in the Order of the Election of *Elders* and *Deacons* in the Church of *Edinburgh*, which was approved by the Assembly 1582, *Sess.* 12. It is said, 'The whole Communicants are commanded to be present *Sunday* Afternoon to give their Votes, as they will answer before God, to such as they think most able to bear the Charge of the Church with the Ministers. The Votes of all being received, the Scrolls are delivered to any of the Ministers, who keepeth the same secret from the Sight of all Men 'till the next *Thursday*; then in the Session he produces them, that the Votes may be counted, where the manyest Votes, without Respect of Persons, hath the first Place in the Eldership, and so proceeding till the Number of Twelve be compleat: So that if a poor Man exceed the rich Man in Votes, he preceedeth him in Place, and is called the first, second and third Elder, even as the Votes answer; and the same Method is observed in the Election of the *Deacons*.' By this Order the Election is restricted to the Communicants, and not given to the Multitude: A Person's being a Communicant, doth not by itself, in my humble Opinion, give a Right to choise the *Deacons*: But all who contribute to the Fund and Stock should, by virtue of their charitable Benevolence, have a Right to choose those, who shall be the Trustees and Overseers thereof. It seems there were many Inconveniencies in the Observation of this Rule; and therefore, Assembly 1642. *Act anent the choosing of Kirk-sessions*, it is said anent the Question moved to the Assembly concerning the Election of Kirk-sessions: 'The Assembly

sembly ordains the old Session to elect the new both in Burgh and Land ; and that if any Place, shall vaie in the Session chosen, by Death or otherwise, the present Session shall have the Election of the Person to fill the vacant Room.' Now the Session consists of *Elders* and *Deacons* with the Minister ; and this last Order, for what I know, has been observed to this very Day in our Churches : The *Elders* and *Deacons* are not chosen by the Multitude of the Disciples, but by the old Session ; and when this is done, their Edict is served, and the People are allowed to object, if they have any Objection to make, but they are not suffered to elect and choose. The Use I make of this is, That since our Church does not look on the Manner of the Election of *Deacons* mentioned, *Acts* vi. as a Constitution established by the Apostles to be observed in all the succeeding Ages of the Church ; (for if they did, would they make a Canon directly opposite to that of the Apostles) and since by their Practice they think it not necessary that *Deacons* should be elected by the Multitude of the Disciples, let me ask how an Inference can be drawn from this, that therefore the People have a Right to choose their own Pastors ? And now when their chief and principal Argument for popular Election is examined, I am confident that every intelligent Reader will observe the Weakness of it, nay that it is no Proof at all.

A third Argument brought by some Writers is taken from a particular Mission of *Paul* and *Barnabas* to go and preach the Gospel to the *Gentiles*, *Acts* xiii. 1, 2, 3. When certain *Prophets and Teachers*, as *Barnabas* and *Simeon*, *Lucius* and *Manaen* ministered to the Lord, viz. in Prayer, Reading and Preaching the Word, and dispensing the Sacraments at *Antioch* ; The Holy Ghost said, Separate to me *Paul* and *Barnabas* for the Work, whereunto I have called them ; And when they had fasted and prayed, and laid their Hands on them, they sent them



*them away.* The Argument formed from this Passage is this, ' If these Prophets and Teachers did minister before the Lord in the Church of *Antioch*, surely the People attended on the Ordinances dispensed by them, they joined with them in Fasting and Prayer; and in this Mission the People concurred and gave their Consent; and if the Peoples Consent was needful in the appointing of Ministers to a certain and particular Work in the Church, they have a Right to call and elect them to the Ministry itself.' Now before I give a Reply, I must observe to the Reader, that *Paul* and *Barnabas* were Church officers before this Appointment was made. *Paul* had already preached at *Antioch* for a whole Year, *Acts* xi. 26. having been made an Apostle some Time before, *Acts* ix. 15. and preached at *Damascus*. And as to *Barnabas* we are told, *Acts* iv. 36. that he was a Levite, and sold his Land, and laid the Price at the Apostles Feet; probably he was one of the seventy Disciples, and as such was sent to *Antioch* by the Church of *Jerusalem*: So then the separating of them by Prayer, Fasting and Imposition of Hands, cannot be explained of their Ordination to the Ministry; for that they had already. I said that this Argument is advanced by some Writers, but others have dropt it, as the Author of *jus populi*. He has it not among the many Arguments he has gathered together; he has wisely past it, knowing that it is an Argument used by Independents for establishing their main Principle, that the People have a Right in the Government of the Church, and ordering of Church-affairs. But now I am to show that from it no Countenance is given to popular Elections; for the Holy Ghost had said to the Prophets at *Antioch*, that he had called *Paul* and *Barnabas* to preach the Gospel to the Gentiles, and my Reasoning from it is, ergo the People did not call them, nor could the extraordinary Call of the Spirit need the Consent of the People: The Holy Ghost

Ghost acquainted these Prophets of the Persons by Name, and requires them and not the People to separate them: They indeed joined in the Prayer for the Blessing of God upon them, and Success in their Work; but will this infer, that they could not be sent without their Consent? This is to yield the important Point the Independents contend for. Again, the *Gentiles*, to whom they were sent to preach the Gospel, gave *Paul* and *Barnabas* no Call, no Invitation to be their Ministers, or to preach to them. Had this been the case, here, and had these *Gentiles*, either personally appeared at *Antioch*, or sent their desire to the Prophets, and asked that they might have *Paul* and *Barnabas* to be their Ministers, and had the Prophets upon this appointed, I had met with something like an Argument for the Peoples Right of Election; but there was no such Thing. Here I shall take Occasion to show, that there was no such Thing in that Vision of *Paul*, *Acts* xvi. 9, 10. which many with a great deal of Ignorance mention now a days as a Proof of a popular Call. There it is said, *And a Vision appeared to Paul in the Night: There stood a Man of Macedonia and prayed him, saying, Come over to Macedonia and help us; and after he had seen the Vision, immediately we endeavoured to go into Macedonia, assuredly gathering that the Lord had called us for to preach the Gospel to them.* The Gloss that many weak People put on this Text is, that this was an Invitation by a real *Macedonian* to the Apostle to come and be their Ministers, never considering that this cut the Throat of their Favourite Opinion, that it makes one Man to chuse and call for all the rest; it rather speaks for one Man to have the Right of Presentation. The Invitation of one Man is not the Call of the People; would the Apostle, from the Invitation of one Man, assuredly gather he had a Call from the Lord to go to *Macedonia*? This is to represent the Apostle to be as weak a Reasoner as themselves. But I shall set such

I

People



People right, by giving them the true Exposition of the Place, in which all Commentators agree without a difference. The Man that stood before the Apostle in a Vision at Night, when he was awake, was an Angel of God, who appeared to him in a humane Shape and Likeness. Thus the Angels often appeared to the Patriarchs under the Old Testament; and so they did upon Occasions to some of the first Ministers of the Christian Church, and this was one Way by which God was pleased to reveal his Mind to them, and gave them his Instructions. Whether he was the tutelar or president Angel of that Country, that had the Care of it committed to him, it would be a digression to enquire, or if there be any Ground from the Scripture for president Angels over Countries, as is said by some, because of what is told us, *Dan. x. 12, 13, 20, 21.* But this good Angel is sent from Heaven to notify to this Apostle that it is the Mind of God, that he should carry the Gospel tidings to these *Gentiles*. The good Angels are concerned for the Salvation of Men; one of them was the first Preacher of the Gospel to the Shepherds of *Bethlehem*, *Luke ii. 10. I bring you good Tidings of great Joy, which shall be to all People.* And after that, they were concerned for the Propagation of it. This good Angel personating a *Macedonian*, speaking their Language, reckons himself as one of them, and says, *Come over to Macedonia and help us.* The Author of *jus populi* useth this Text as a Proof, *That none have Right to vote but such as reside in the Parish*; but this Man was no real Man, and he had no Residence at all at *Macedonia*. But I shall proceed now to an Argument that is strongly urged by the Learned, wherein they exercise their critical Talents.

*Arg. 4.* is taken from *Acts xiv. 23. And when they had ordained them Elders in every Church, and had prayed with Fasting, they commended them to the Lord on whom they believed.* Here the Apostles

apostles *Paul* and *Barnabas* ordained them Elders  
 in every Church; this they did by the Suffrages of  
 the Members of these Churches; for the Word  $\chi\alpha\rho\iota\sigma\mu\alpha\tau\epsilon\varsigma$   
 $\chi\alpha\rho\iota\sigma\mu\alpha\tau\epsilon\varsigma$  signifies when they had ordained, or cre-  
 ated by Suffrages and Votes: So *Beza* and others un-  
 derstand the Word. Now they could not be ordain-  
 ed by the Suffrages of *Paul* and *Barnabas*; for  
 there could be no Place for Suffrages where there  
 is but two Persons; the Suffrages therefore were  
 the Suffrages of the People of these Churches. The  
 Word is taken from the ancient Custom of the *Gre-*  
*cians*, who in the Election of Magistrates gave their  
 Suffrages by extended or stretched out Hands. This  
 is the Signification of the Word, 2 *Cor.* viii. 19. And  
 it is never used in any approved *Greek* Author in  
 another Sense, when the Historian *Luke* wrote the  
*Acts of the Apostles*. And if he had used it in any  
 other Sense in this Place, he could not be understood  
 by his Readers, but must have been a Barbarian to  
 them; and not so much as a single Instance out of a  
 sacred or profane Author can be given where it is  
 used in another Sense. I am persuaded every Body  
 will own I have put the Argument in a due Light,  
 and that I have concealed nothing of the Strength  
 thereof. But if the following Considerations are fair-  
 ly weighed without Byas to a Cause, I am confi-  
 dent that this Argument cannot convince any judici-  
 ous and knowing Person: For 1<sup>st</sup>, The Verb  $\pi\alpha\rho\epsilon\theta\iota\upsilon\tau\epsilon\iota$ ,  
*they commended them to God in whom they believed*,  
 has in this Verse two Nominatives  $\chi\alpha\rho\iota\sigma\mu\alpha\tau\epsilon\varsigma$ ,  
 $\pi\alpha\rho\epsilon\theta\iota\upsilon\tau\epsilon\iota$ , and our Interpreters supply without any  
 Necessity the Copulative *and*, no less than twice in  
 this Verse, when the Copulative  $\kappa\alpha\iota$  is not in the  
 Original; so the true reading is this, *Having or-*  
*dained them Elders in every Church, praying with*  
*fasting, they commended them to the Lord in whom*  
*they believed*. Now the Persons that did this were *Paul*  
 and *Barnabas*, as we see all along from Verse 20,



21 and 22. But the Argument says, *That the Word* *ἐκ τῶν* signifies to ordain by Suffrages, and since Suffrages cannot have Place where there are only two, therefore they did ordain by the Suffrages of the People of these Churches. But here it must be considered, the Word signifies sometimes to ordain, create, or elect by Suffrages, and sometimes it signifies simply to ordain, create or elect, where there were no Suffrages at all. Now I own that it is used often in the first Sense in the profane Author cited by Mr. Gillespy, *miscel. Quest. page 14.* And that it is so used, 2 Cor. viii. 19. *We have sent with him the Brother* (that is, *Luke our Historian*) *whose Praise is in the Gospel throughout all the Churches. And not that only, but who was also chosen* (*ἐκ τοῦ*) *of the Churches to travel with us, with this Grace, margin, this Gift.* And there is a certain Rule to know when the Word does signify to ordain or chuse by Suffrages, and it is this, that whenever it is affirmed of many Persons, it must have this Signification, because the giving of Suffrages can only be where there is a Number or many: But then, whenever I find the Word affirmed of only one or two Persons, then it cannot signify to ordain by Suffrages, but simply to ordain or elect. Now one or two may very well be said to appoint or chuse. If then I can prove both from sacred and profane Authors, that the Word is thus used, the confident Assertion laid down in the Argument, *That one Instance out of a sacred or profane Author cannot be given, where it is used in any other Sense than to ordain or chuse by Suffrages,* must fall to the Ground; and those who make this Assertion, must be ashamed or convinced of their Rashness. As to a sacred Author, this same Divine Historian *Luke* uses it concerning God, *Acts x. 40, 41. Him God raised up the third Day, and shewed him openly; not to all the People, but unto Witnesses, chosen before of God,* *ἐκ τοῦ* *πολλοῦ*; he is speaking of the Apostles who were chosen immediately by Jesus Christ with-

without the Suffrages of any Persons whatsoever. **Jesus** Christ, who is God as well as Man, was here the sole Elector.

And as for uninspired Authors, I find it is used by them, where there were no Suffrages. *Philo*, who was contemporary with the Apostles, *lib. de Joseph*, speaking of *Joseph* the Son of the Patriarch *Jacob*, says *ὁ βασιλεὺς ὑπάρχον ἐχειρόνευσεν αὐτῷ*, i. e. when he was appointed or chosen the King's Deputy or Lieutenant. Surely *Pharoh* the Tyrant of *Egypt*, did not stoupe so far as to ask the Suffrages of the People or the Nation, when he set this Lieutenant over them. And *lib. 1. de vita Moïsis*, speaking of him, says, *ἡγεμονίᾳ ἐκείνου οὐροῦ*, he was ordained or chosen Ruler over *Israel*; But how was this? Not surely by the Suffrages of the Children of *Israel*, but by God alone; and in the same Book, speaking of the Priests the Sons of *Aaron*, *ἐκείνους ἐκείνου ἐκείνου*, he, i. e. *Moses* ordained Priests: This was when he consecrated them by the Direction of God, without the Suffrages of the People; and *Maximus Tyrius* an approved Greek Author for the Stile of Language, tho' he lived after the Apostles in the Reign of *Antoninus Pius*, speaking of the Horse by whose neighing *Darius* was made King, says, *ἡ πόλις οὐκ ἔδωκεν αὐτῷ τὴν βασιλείαν, ἀλλ' ὁ πῶς ἐκείνου ἐκείνου*, i. e. the Persians did not give Homage to *Darius*, till the lascivious Stallion made him King. By this Time the Argument is put exceedingly to the Blush, and it will be more so, when I shall have Occasion to show that the Word is used by Ecclesiastical Writers simply for to ordain or chuse, where there were no Suffrages. And the learned *Selden*, who was a Member of the *Westminster Assembly*, and who is owned by all to be one of the first Rank of Writers, says, *de syned. Hebr. lib. 1. cap. 14. That long before the Acts of the Apostles were writ, the Word was used to signify simply to ordain or elect.* His Words I shall transcribe and translate. *Nam per suffragia in comitiis alibi quid facere, manibus porrectis aut modo eo, qui per χειροτονίαν, ex origine sua primaria denota-*



*tatur, Romanis non solum nunquam receptum est; sed maxime etiam, quâ Græci id faciebant, improbatum, ut expressum scimus ex Cicerone in Orat. pro Flacco: unde insuper non iniquum est, ut existimemus post devictum ab iis Græciam (id est diu ante Acta Apostolorum scripta) logosque & mores Romanos illud introductos, desisse etiam atque ut abrogatum evanuisse apud Græcos ipsos manuum sic porrigendarum ritum; manente nihilominus vocis χειροτονειν significatione illa simpliciori qua ordinare, constituere, creare & id genus alia significaret, i. e. Election by Suffrages declared by outstretched Hands, was not only not received by the Romans, but even where the Greeks used it, it was condemned, as we expressly learn from Cicero in his Oration for Flaccus; wherefore it is not absurd to think, that after the Conquest of Greece by the Romans, (which was long before the Acts of the Apostles were written) both the Roman Laws and Customs were introduced there; this Custom of stretching out Hands in Elections disappeared, and was utterly abolished: Nevertheless the more simple Signification of the Word χειροτονειν, to ordain, constitute, create, and the like remained. 2. The Rule I have laid down to know when it signifies simply to ordain, and when it signifies to ordain with Suffrages, helps us to know the Signification of the Word here; and now there being but two Persons, of whom the Word is affirmed, to wit, Paul and Barnabas, and since Suffrages take not place where there are but two, it can signify no more here than to ordain, and so the Translation of our Interpreter is good: And here I lay down a Proposition, which can no more be disapproved than the former Rule, which is, that no Word can signify any more Persons, than those of whom it is expressly affirmed; now χειροτονειν is expressly affirmed of Paul and Barnabas, and of no other: How then can it signify here, that they ordained Elders with the Suffrages of the People? Is not this to affix a Signification to the Word, which it cannot bear in this Text?*

Again

Again I am told by Mr. Leigh, *Crit. sac.* that *Stephanus* in *Theo. Ling. Gr.* says, *That this Word, When it governs the Accusative Case, (for so it does in this Text) signifies not to give Suffrage, but to ordain, create or elect.* Again there are celebrated Writers who understand the *χειροτονία* of the ordaining of Presbyters in every Church, by the Imposition of the Hands of *Paul* and *Barnabas*. Hands cannot well be laid on any Person without extending them in some Measure, and they want not Reason to support their Opinion, for since Imposition of Hands was then a constant Rite used in the Ordination of Pastors, and there is no Mention made of it in this Place, when Fasting and Prayer are distinctly related, it is reasonable to think, that the Rite of Imposition of Hands is contained under the Word *χειροτονήσαντες*: And so without any Violence done to the Text; and by this Means the Sense of the Text comes out to be this, they having by Imposition of Hands ordained Presbyters in every Church, praying with Fasting, commended them, *i. e.* the Presbyters, to God, in whom they believed. From all I have advanced, it will appear, that this Argument, which has made a mighty Noise in the learned World, makes nothing at all for popular Elections: But the Text of Scripture on which it is grounded, ascribes the whole of this Business to two Pastors, *Paul* and *Barnabas*, and so I look upon it as another convincing Evidence, that in the Apostolical Age, the Church Representative were the Electors. The learned Mr. *George Gillespie* who deserves to be mentioned with Honour and Esteem, and whose praise is to this Day in all the Churches of this Nation, seems to me to be like a Man struggling with the pangs of Death, or as a Man bound with Cords, which he attempts to unloose, when some of the forementioned particulars did cast up to his View, but cannot do it, for to get free of them he takes hold of any Thing that may help him out, and whereby he may evade the Reasoning on this Head:

For



For after he had denied to the People an elective Suffrage in the calling of Ministers, and had allowed them only a Liberty of consenting, tho' I must own, such a Consent as amounts to a Negative upon the Eldership or Church Representative, he forgets himself, and in a downright Inconsistency with himself, would make this Text prove, that the People have a Right of giving their Suffrages. For Evidence of this, I desire that my Readers may compare *pag. 8.* of his *Misc. Quest.* with the six following pages. I can make no Apology for this, but that he did not live to give this Book the finishing Stroke. And now I proceed to consider what is advanced by this able pen. 1<sup>st</sup>, He says *p. 9.* *They ordained*; the pronoun *they* respects not *Paul and Barnabas* and their Ordination of Elders, but the Election of Elders by the Churches: He says, the Sense is this, *Moreover they made to themselves, i. e. the Disciples mentioned in the former Verse, made to themselves, for they who were made were not Elders or Ministers to Paul and Barnabas (but to the Multitude of the Disciples) in every Church, Elders, while they were fasting with them, and praying, and commending them (i. e. as he says, p. 12:) Paul and Barnabas, for their Safety and Preservation, being willing to let them go to the planting and watering of other Churches.* Here my Animadversions are, 1<sup>st</sup>, That if the Word *they* does not relate to the Apostles Ordination of Elders, then it follows, that tho' the several Churches did chuse to themselves Elders, they were not ordained; and truly his Gloss carries it this Length, for the Prayers are not for the persons elected, nor are they commended to God, but they are for *Paul and Barnabas*. Again what Sense is this, that the Disciples mentioned in the former Verse made to the Multitude of the Disciples, or elected to them, Elders? Are the Disciples mentioned in the former Verse any other than the Multitude of the Disciples for whom they elected Elders?

By this Means *Paul* and *Barnabas* did nothing at all, they did not ordain, did not pray, did not commend, but the People or Disciples did ordain or elect, did pray, did recommend them to God. But as this Interpretation is repugnant to the Stream of all Commentators, so it is palpably opposite to the foregoing Context. For from *Ver. 20. Paul and Barnabas* are spoken of all along. *Paul* departed (viz. from *Lystra*) to *Derbe* with *Barnabas*. And, *Ver. 21.* when they they had preached (*i. e. Paul and Barnabas*, and not the Disciples) the Gospel in that City, and had taught many, they (*i. e. same Persons*) returned again to *Lystra* and *Iconium* and *Antioch*, and *Ver. 22.* confirming the Souls of the Disciples (surely the meaning is not that the Disciples confirmed themselves) and exhorting them to continue in the faith, and that we must through much tribulation enter in to the kingdom of God: And then *Ver. 23.* having ordained to them, *avtois*, the Disciples and Elders in every Church. There can be nothing more easie than this: Must it not then be very strange, to see this great Man forcing an Argument from a Text of Scripture, where it is not to be met with? *Mr. Gillespie*, to fortifie and establish his Exposition of these Words, having ordained them elders, says, That the Word *avtois*, which we render them, makes for him: For he says, It should not be rendered them, *illis*, but *ipsis*, themselves, and here gives the Authority of *Pasor*, who renders the Place, *quumque ipsis per suffragia creassent presbyteros*. But this is to put the Text to Torture, and to offer the greatest Violence to it: For it puts *avtois* in the Place of *avtois*, without any Necessity, the Sense being plain, that *Paul* and *Barnabas* ordained not Elders for themselves, but to them, the Disciples, in every Church. And by this Exposition all is given up to the Independents, who ascribe to the People both the Right of Election and Ordination. And, Lastly, The Authority of *Pasor* cannot carry it against the bulk of Translations, who



have it either *eis* or *illis*: But besides, tho' *Pasor* has it *ipsis*, he means *discipulis*, who have been spoke of, *Ver. 22*. They ordained Presbyters or Elders to those Disciples they had been confirming and exhorting, for they still needed Pastors to water after the Apostles had planted, and to build them up more in Faith and Holiness.

*Arg. 5.* The next Argument brought from the Book of the *Acts*, is founded on *Acts xv. 22, 23*. *Then pleased it the Apostles and Elders, with the whole Church, to send chosen Men of their own Company to Antioch, with Paul and Barnabas, namely Judas surnamed Barsabas and Silas, chief Men among the Brethren, and wrote Letters by them after this Manner, The Apostles and Elders and Brethren, send greeting into the Brethren which are of the Gentiles in Antioch and Syria, and Cilicia.* From this Text the Argument is formed after this Manner, *Judas and Silas are chosen by the whole Church, as well as by the Apostles and Elders, to go upon a special and extraordinary Embassy, and the whole Church sends the Persons thus chosen, and the Letters sent with them are writ in the Name of the Brethren, as well as in the Name of the Apostles and Elders. As then the whole Church or the Brethren did chose and send some in an extraordinary Embassy, and appointed them to go upon such a special Service in the Church; therefore the whole Church or the Brethren have a just Right to chuse and elect Persons to be their Ministers.* Before I proceed to give a Reply, I judge it necessary to notice, that there had been a Controversy moved and debated concerning the Rites and Ceremonies of the Law of *Moses*, whether those who were converted to Christianity were bound to the Observation of them: And they not being all of one Mind in this Matter, send *Paul and Barnabas* to have the Decision of the Apostles and Elders at *Jerusalem*: Upon their Arrival a Council is instantly called, *ver. 6.* the Cause is open,

opened and Debates are heard : For *ver. 7.* it is said, *There had been much Disputing*, probably by the *Pharisees*, who believed. For *ver. 5.* they asserted, *That it was needful to be circumcised, and command them to keep the Law of Moses.* After this we have the Speeches made in the Council by four of the Members, *Peter, Paul, Barnabas and James*; and then having given a Decision, they appoint two of their Number to go with *Paul and Barnabas*, and deliver to them their Decrees in an Epistle, That so *Paul and Barnabas* might be the better credited by such, as had been of the contrary Judgment. This being the Case, I proceed to the Answer. 1. I notice that there is a manifest Difference made, *ver. 22.* between that which was acted by the Apostles and Elders, and that which was acted by the whole Church : For had the whole Church, that is, the People elected and sent, as well as the Apostles and Elders, it would have been expressed after this Manner. *It pleased the Apostles and Elders and the whole Church* : But it is not so expressed, intimating that the People did not act equally with their Church Officers : Wherefore, when the People are spoken of, the Phrase varies ; it is not said, *and the whole Church*, as it is of the Elders : *And Elders* : So that the People did not give a decisive Suffrage in the Election, or make an Appointment in this Mission : If then the Church Officers were the Electors, and made the authoritative Appointment, is not the Inference from this more native, that the Office-bearers in the Church are the proper Electors of Persons to the holy Ministry ? I say, Is not this a more native Inference than that which is made in the Argument for the Peoples Right ? That this Remark is just, will appear, if we consider, 1. That the proper constituent Members of this Council, that asserted the Cause of Christianity against *Judaism*, were the Officers of the Church ; For *ver. 6.* as it is said, *And the Apostles and Elders came together to consider of this*



*Matter.* This is the *Sederunt* or the Court: And if we look forward to *chap. xvi. ver. 4.* the Resolutions they came to are expressly said to be their Decrees, without speaking any Thing of the People. *And as they went through the Cities, they delivered them the Decrees for to keep, that were ordained of the Apostles and Elders at Jerusalem.* The People are not mentioned. 2. Let us consider that the Apostles and Elders by Vertue of their Office, as they were qualified, so they were authorized to be the Judges in this Matter: The Right of deciding in this Controversy belonged to them; and surely these of *Antioch*, who sent *Paul and Barnabas*, did not send them to the People of *Jerusalem*, but to the Apostles and Elders. For *ver. 2.* it is expressly said, that they determined that *Paul and Barnabas, and certain other of them, should go up to Jerusalem unto the Apostles and Elders about this Question.* 3. The People were by no Means constituent Members of that Court: They were there only in the Capacity of Hearers. *ver. 12. The Multitude kept Silence, and gave Audience:* And *ver. 13. They held their Peace,* i. e. both those that were for *Judaism* and those that were against it. They with a becoming Respect and Reverence did hear and learn of those whom God assigned to be their Instructors. 4. The statutory Word is *Acts ver. 22. pleased,* and this is evidently ascribed to the Church Officers. For we have it again *ver. 28. It seemed good Acts* to the Holy Ghost and to us, i. e. (as all Interpreters explain it) it seemed good to us assisted or inspired by the Holy Ghost: This surely is not to be affirmed of the Multitude or the People. I know that here it is said, that what was done in the Council was done *plebe presente*: And they approved of by the Appointment laid on *Judas and Silas* to go with the decretory Letter: But is this any more than what can be said of the Decision in the Matter of Doctrine? Was not this Decision given *plebe presente*?

And

And did not they approve of it? And if any Thing can be concluded hence for the People, they will have as good a Right to sit in Council and judge of Doctrine, as to elect in a Mission. They did no more in this, than in the other: The Deed of the Church Officers is to both they did approve: But were they not bound to approve? Was this optional? Had they a Negative in the Council? Let then those take care who use this Argument, that they yield not up that important Point to the People, *viz.* a Right of Decision in Controversies of Faith: For the Evidence is as strong for us here, as the Evidence is for their having a Right to elect in a Mission of Persons upon a special Service in the Church. The Assembly of Divines met at Westminster, in their *Answer to the Reasons of the seven dissenting Independents*, p. 134, — 139. gave good Reasons, why the whole Church could not be explained of the *cætus fidelium*, *viz.* Because the Number of Believers before this Time had multiplied greatly at Jerusalem, and any one Place or private House could not contain them: They say, that the *Cætus Synodicus* is meant, *i. e.* the Apostles, Elders and others assembled from several Churches; such as *Titus*, as some think, and *Judas* and *Silas*, Acts xv. 22. who were not fixed to any Office or Membership in the Church of Jerusalem, but were Assistants to the Apostles in several Places, and did the Office of Evangelists, which is plain of *Silas*, Acts xv. 40. and xvii. 19. and xvii. 4, 14, 15. and xviii. 4. and of *Judas*, Acts xv. 32. So that *Judas* and *Silas* being Members of that Meeting, it followeth that it was a Meeting, not only of the Apostles and Elders of Jerusalem, nay nor of the Commissioners of Antioch joined with them, but of others also distinct from both these: And they enforce their Opinion, with this Consideration, that here there was a Three-fold Power exercised, which does not belong to the People or *Cætus fidelium*. 1. A dogmatick Power, condemning the Heresy, or Error, which asserted the

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Necessity of observing the ceremonial Law, and that Believers could not be saved without it. 2. A diatattick Power, making a practical Canon, for avoiding the Scandal, and abstaining from such Things as give the Occasion of it. 3. A critick Power, *ver.* 24. branding those Teachers with the black Mark of Liars, Subverters of Soul and Troublers of the Church. These surely are such Acts of ecclesiastical Authority and Government, that no Presbyterian Divine will allow to the People: So that if the whole Church be meant of the People, they only consented and gave their Approbation.

Thus I have dispatched the first Part of the Argument. I go on to the other, which is, that the decretory Epistle was writ in the Name of People equally with the Apostles and Elders, *ver.* 23. *The Apostles, and Elders, and Brethren send greeting.* Here there is left no Room for an Evasion: It is not said *with the Brethren*, as it was said *ver.* 23. *with the Church*, of which I made a good Use: But it is said, *and the Brethren*: But to this I have several Things to reply. A 1. That the Words *et ei* are wanting in *Cod. Montfortii*; and if this be not an Omission in the Transcriber, then the Epistle comes only from the Apostles and Elders. My Information is from Dr. Mill *in loc.* He also acquaints me that the Words *et ei* are wanting in *Cod. Alex.* and in *Cod. Beza Cantab.* which are two of the most ancient and best Manuscripts of the *New Testament*, now extant. He adds that *et ei* are not in *Barbar. 1. Colbootini acta apostolica*, nor in the *vulgate version*. According to all these the Reading will be, *The Apostles and Elders, Brethren, send greeting.* And so Dr. Mill says, *It is thus cited by Ireneus, Pacianus and Athanasius Magnus*: Now can it be thought that so many Transcribers and Fathers were in a Plot to corrupt this Text? But this will not appear: Nay this Kind of Expression occurs in this same Book of the *Acts*, as  
chap.

chap. ii. 37. where the new Converts in their Address to *Peter* and the Rest of the Apostles call them, *Men, Brethren*, *αδελφοι αδελφοι*; the copulative *and* is not in the *Greek*, and there was no Necessity for our Translators supplying the Word, *And*: And as this is a manner of Compellation used by these Converts to the Apostles, so the Apostle *Peter* himself gives it to the *Jews* in his Sermon to them, *ver.* 29. And is it impertinent, or out of the Way, to think that the Apostle *Peter* did dictate or writ this Letter? Is not this his Stile? The Apostle and Elders were Brethren, as both were Church Officers. Here the Apostle *Peter*, 1 Epistle v. 1. calls himself an Elder. *The Elders which are among you, I exhort, who am also an Elder.* Again, 2. Allowing that our Translation is right, it will be proper to enquire what Hand the People had in this Decretory Epistle (I so call it, because chap. xvi. 4. the Resolutions or Decisions contained in it are called the Decrees :) Now had the People equally a Hand with the Apostles and Elders in the Decree and Decision, as to the Matter of Doctrine? I think no Presbyterian will assert this: If it is said that they had equally a Hand with the Apostles and Elders, as to the Election and Appointment of *Judas* and *Silas* in the Mission, and that for this Reason the Letter is writ in their Name. I answer, that the contrary appears from the Letter it self; for *Ver.* 25. it is said, *It seemed good unto us, being assembled with one accord, to send chosen Men unto you* —. And are we not told, *Ver.* 6. who these were? The Apostles and Elders came together for to consider this Matter: Wherefore the Reading, which I have mentioned, is for many Reasons to be sustained: And if it is not, then the assuming of them into the Inscription of the Letter, insinuates no more than this, that the People did approve of the Decision in the Matter of Doctrine, being convinced from the Speeches of the Apostles in the Council, that the Rites of *Moses* Law, were not

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to be imposed upon the Converts to the Christian Religion, and that they did approve of the Choice made by the Apostles and Elders in this Mission; or they join with the Officers of the Church in the Salutation, they greet them well *Χαίρειν*, viz. *The Brethren in Antioch, and Syria and Cilicia*; and this is no more than what the Romans do. When the Apostle inscribes his Epistle to the Churches of *Galatia*, Gal. i. 1. 2. *Paul an Apostle, and all the Brethren which are with me, unto the Churches of Galatia*. From what I have advanced against this Argument, it will appear, that here is neither express Scripture, nor a necessary Consequence deduced from it, for establishing popular Elections.

Arg. 6. Consequential Proof is drawn from, 1 Cor. xvi. 3. *And when I come, whomsoever you shall approve by your Letters, them will I send to bring your Liberality to Jerusalem*. From this Text the Argument comes to this. Here the *Corinthians* are assured by the Apostle, that they shall have the Election of the Persons that shall be sent to *Jerusalem* with their Liberality; and since they had the Right to chuse Persons to their particular and inferior Service in the Church, much more have they a Right to chose and elect Ministers, who are to have the Care of their Souls. To this my Answer is, that an Argument *a minore ad majus* is not valid; and here I refer to the Answers given to the second Argument, p. —. And to these I add some special Answers directly to this Proof. First, That I do not think there was here any Election at all, the Scope and Intention of these Words being to excite them to give more liberally for the Relief of poor Christians at *Jerusalem*: For when he should come, he would be careful that it shall be sent by Persons of approved Honesty and Fidelity among them. Is a Certificate given of a Person's Honesty and Fidelity, an Election of him to any kind of Service? Is not this a Confounding of Things together, which are quite distinct. 2. The Words

Words by your Letters do not help the Matter? For in the Greek they are *δὲ ἐπιστολῶν* there being no Word in the Original for *your*. Besides *Besa* and Mr. *Lock in loc.* and many others say, There should be a Comma at *κοινωνίας* 7, and thus say, that *δὲ ἐπιστολῶν*, relates not to the Verb, whom ye shall approve: For when the Apostle was present with them, there was no occasion to send Letters to him, containing their Approbation of the Persons; wherefore they make *δὲ ἐπιστολῶν* to refer to *ἐπεμψα*, *I will send*, and then the Sense is, 'I will write by those, that they shall by their Certificate and Testimonial recommend unto him.' And, *Lastly*, Since the Apostle takes upon himself the Power of appointing, and says, *I will send*, and does not allow them to send their own Liberality by Persons, they can confide in, every Body must think, that even in this Matter, the *Corinthians* are very much bound up, and that the Apostle takes care to keep the People within due Bounds, least they should upon other Affairs be too assuming. Here it may be replied, That tho' this Text is not so express for the Peoples choosing of Messengers that shall go with their Liberality; Yet it is evident from *2 Cor. viii. 18, 19.* *And we have sent with him the Brother, whose Praise is in the Gospel throughout all the Churches, and not that only, but who was also chosen of all the Churches* *καὶ ἐκ πάντων ἐκείνων* *to travel with us with this Grace.* This Brother is by the Generality of Interpreters judg'd to be the Evangelist *Luke*. And here is another Part of the popular Election of Ministers, because all the Churches elected *Luke* to travel with him with this Gift. Here I very much question, if this Election was by the Churches collective: For it is not probable, that all the Christians should be assembled together, for an Affair of this Nature. I rather incline to think, that this Election was by the Church representative: And here the Word *καὶ ἐκ πάντων ἐκείνων* can admit the Sense and Meaning of choosing by Suffrages with extended Hands; but that Suffrages

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were



were ask'd, and that they were given with extended Hands, I very much question; for *Luke* being an Evangelist, and an extraordinary Pastor of the Church, and of great Merit and renown in all the Churches; upon the proposing of him for this Work, they would all go in to it with a *nemine contradicente*. *Grotius in loc.* says, It was the Custom for *Paul* not to assume to himself the Election of those, who were to be Administrators of the Poor, but to leave it to a Synod. So that according to him, the Election was by the Church representative. Again, he was chosen not only to carry the Liberality and Collection, but to travel with the Apostle, that is, to be his Companion or Assistant in the Work of the Gospel: Now the Consideration of such an Affair as this, where *Luke's* Ministry was most needed, or where it was most proper he should be employed, did not belong to the People, but to the Church representative.

Thus I have mentioned all the Arguments, in which those, who contend for popular Elections, do lay the greatest Strefs; and all of them are at best but remote Consequences from what is laid down in Scripture; but I am inclined to think, till I have Ground to change my Mind, that there is not a good consequential Proof in any one of them, nor in them all taken together. There are some other Proofs advanced by some Writers, which I am sure they could never think would be convincing; but least that it may be thought that this is shifting, I shall in a few Words show how inconcludent they are. The first is taken from, *2 Cor. iv. 5. For we preach not our selves, but Christ Jesus the Lord, and our selves your servants for Jesus sake.* Here Pastors are called the Servants of the People, *we preach, i. e.* we declare our selves to be your Servants; but if they are the Peoples Servants, they should be elected and called by them. To this I answer, That they are not the Peoples Servants, by Way of Subjection to them, so as to receive their Commands, and be obliged to obey them; but only by ruling

ruling and governing them for their Good and Interest, they do them the highest Service, by promoting their spiritual and eternal Concerns, and Interests of their precious Souls, by their Doctrine and Example; and in so doing they are the Servants of Christ Jesus; for what other Way can we serve him, but by being serviceable to the Interests of his Church and Kingdom; and this give them no more a Right to choose them, than it does gives them a Right to ordain them, and to appoint them their Work; which no Body will say the People have a Right and Power to do.

Second Argument is brought from 1 Tim. iii. 7. *Moreover he, i. e. a Bishop, must have a good Report of them that are without*; this is very expedient, for the Credit and better Success of the Ministry: And is much more necessary, that he be well liked and approved of them that are within the Church. Thus Mr. Gillespie *Miscel. Quest. p. 21.* the Author of *jus pop. p. 47.* adds, 'That the Testimony required was not only of their good or ill Behaviour, which an Heathen might give, but such as judged them fit and worthy to be, and so desired them for their Officers, which is not a mere declarative Testimony, but such as is elective.' Here I can observe nothing like an Argument. It is certain that a Minister should be one who *has a good Report, both of them that are without, and of them that are within the Church.* 1. *From them that are without*, i. e. the Pale of the Church, these are the Heathen, who are not Members of the Church: Now it was hard to obtain a Testimony from them, who are both Strangers and Enemies to them; But the Meaning is, that he must be one, against whom they cannot bring a just Accusation, because of his former Conversation. And, 2. *From them that are within the Church*, or the Members thereof; wherefore the Ancients in a most publick Manner proposed the Names of those they designed for the Ministry, that every Body might be allowed



to object, if they had any Thing they could justly lay to the Charge of these Candidates. In short this last Qualification of a Bishop is much the same with the first, which is mentioned, *ver. 2. A Bishop must be blameless*; not that he must be without all Sin, for such cannot be found on Earth: There are Sins of Infirmity into which the best fall; these do not take away a Man's good Name and Reputation; but a Bishop must be irreprehensible, (as the Word signifies) as to those Crimes and Vices, which give Scandal and Offence, lest he be despised and lose his Authority, and that Regard and Respect which his Office claims from Men. But where is the Inference that therefore the People have a Right to choose their own Pastors? Is not this to confound Things together that are a quite distinct: A Testimony is one Thing, and Election is another: Many may give Testimony who have not a Right to elect; and if the giving a Testimony in Favour of one, infers a Right to elect, then Infidels and Heathens, who are without the Church, have a Right to choose the Pastors of it.

A third I give in the Words of *Jus pop.* p. 43, 44. The Peoples Right to choose their own Pastors, is evident from our Lord's Command unto them, *1 John iv. 1. To try the Spirits, the Spirits whether they are of God, because many false Prophets are gone out into the World, and Matth. vii. 15.* there he commands his People to beware of false Prophets; and he allows it in his People, not to hear the Voice of Hirelings or unworthy Pastors, but instead of this to flee from them, as *John x. 5. Rev. iii. 2.* There it is spoken to the Commendation of the Church of *Ephesus*, that she had tried them which said they were Apostles, and were not, but did lie; she tried them, and tried them so as to reject them for their Unworthiness. And a Right to withdraw from unsound Ministers, will infer an inherent Right to make choice of such as are wor-

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 allow that by them are meant all false, unsound and  
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 Hence they are required to *prove all Things*, 1 Thess.  
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must try and examine them by the Touch stone of the Scripture: And to help them herein, they are to take along with them the Assistance of Ministers their spiritual Guides, who are more knowing in these Matters than themselves, otherwise this Judgment of Discretion is the *dernier resort*, and the People are placed in the Chair. If there were false Teachers in the Church during the Time of our Saviour's publick Ministry upon Earth, the People were certainly to be on their Guard against them, and try them; but they would have been very presuming, and much pufft up with their Knowledge, if they did instantly withdraw till they had the Mind of Christ or of his Apostles: And after the Ascension of our Lord, when false Teachers preach'd the Necessity of the Observation of the *Ceremonial Law*, and particularly of *Circumcision*, the People then without doubt did exercise their private Judgment of Discretion, but did this warrant them to withdraw immediately? No, they had first Recourse to the Council of the Church at *Jerusalem*, who gave their publick Judgment, and pass'd a Decree in that Matter; and while the Apostolical Age lasted, Christians had the Presbytery to repair to in these Points, who no doubt called to their Assistance those who had the Gift of discerning of Spirits, *1 Cor. xii. 3, 10*. Now this Gift being ceased in the Church, the private Judgment of Discretion, which the people have, is to be guided by the publick Judgment of the Church-Representative, who by their Office are best qualified and authorized to try and examine the Teacher's Doctrine, and this the People should have before they withdraw and separate; this I am sure is the Judgment of all sober and wise Presbyterians. If it shall be the Lot of a People to be in a Church, be whose Teachers are universally corrupt, as it is the lamentable Case of Protestants in *France*, and other Popish Countries, then they are to withdraw from that Church, and to use the best of their Discretion to

to find out a purer Church, and Guides more orthodox and faithful ; and when they have satisfied themselves this Way, they should join themselves to that Church or their Guides : If this is the Sense of making a Choice, this will be yielded ; but I bring the Matter to this Point, that when a Church is orthodox and pure, and the publick Doctrine of it is known to all, as it is with the Church of *Scotland*, if there are false Teachers in it, no doubt the People who have such Guides have a Judgment of Discretion of their Doctrine ; but they will be a little too precipitant to withdraw upon their own private Judgment, till such Time as they have the publick Judgment of the Council of the Church or the Presbytery ; for Persons may have Errors in lesser Matters, which will not justify a Separation from their Ministry. Thus our Saviour determined with Respect to the *Scribes* and *Pharisees*, who were the Teachers of the *Jews* ; he took Notice of their Mistakes in some Things, and some Instances wherein they did teach for *Doctrines the Commandments of Men* ; and their wrong Glosses and Interpretations of the Law of *Moses*, *Matth. v.* and particularly their Error on the 5th Command, *Matth. xv. 5.* And our Saviour warned them to *beware of the Scribes and Pharisees*, *Mark xii. 38.* and *Matth. xvi. 11.* lest they should be of the same Mind with them in these Things ; yet because their Doctrine was in the Main true and orthodox, our Saviour was not for rejecting them as false Prophets, as unfit to be heard, or for their choosing new Pastors and Teachers to themselves ; but he requires the People to continue under their Ministry, *Matth. xxiii. 2, 3.* *The Scribes and Pharisees sit in Moses seat, all therefore whatsoever they bid you observe, that observe and do :* This they were to do till it should please God to give them other Pastors according to his own Heart ; but then those were not of the Peoples Choice, as I have already abundantly made out. Now in the  
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supposed Case, that there are corrupt Teachers in the Church of *Scotland*, and that the People by their private Judgment of Discretion think there are such, they are to have a little Patience, and not to withdraw or separate till they are freed from them by the Judgment of the Church-Representative: And when this is done, their private Judgment of Discretion of those who are to succeed them, does not infer that they have a Right to elect them to be their Ministers, at least that it is not solely their Right; for the Election is to be by the publick Judgment of the Church-Representative; and which of these Judgments, that of the People, or that of the Officers of the Church is to be preferred, the second Book of Discipline determines. When *chap. 3. § 4.* 'It defines Election to be the choosing out of a Person or Persons most able to the Office that vaikes by the Judgment of the Eldership and Consent of the People.' It is not said by the Judgment of the People, but by the *Judgment of the Eldership*: And as to this Judgment, the Ministers of *Fife* gave it as their Opinion, *That the People ought to give their Consent.* Is it not better for a sick Man to take the Advice of a licensed Physician or graduate Doctor, whose Skill and Ability has been examined and approved by those who are fit and competent Judges in that Profession, than the Advice of such as have the Vogue of the giddy and unthinking Multitude, who generally are for this or the other ignorant Quack: This Choice they make for the Health of their Bodies is a Swatch of the Election they will readily make of Persons to be Ministers and Instruments in the Salvation of their Souls. I have done with this Argument, when I have given a Reflexion on the Reasoning of *Jus pop.* from *Rev. ii. 2.* which he makes up by a bare-faced Perversion of the Text after this Manner, *The Church of Ephesus she could not bear them which are evil; she had tried them which say they are Apostles, and are not, but have*  
*found*

*found them Liars*: And for this she is commended. Thus the Argument is made up by doing Violence to the Text; for *ver. 1.* the Apostle writes to the *Angel of the Church of Ephesus*. Now it is she to whom the Epistle says, *Thou canst not bear them which are evil; and thou hast tried them which say they are Apostles, and are not, and thou hast found them Liars*. Now all Presbyterians say that the Word *Angel* or *Messenger* is taken here collectively, not for any one Minister to the Exclusion of others, but for the Presbyters or College of Ministers, for there were more Pastors at *Ephesus* than one, as appears from *Acts xx. 17, 28*. They were all Angels, and firm in the Oneness of their Work, all of them are called an Angel; the Ministers then are the Persons, who *tried those who were given out to be Apostles, and after Trial they found them out to be Liars*, i. e. false Apostles. Now what is it that can be inferred from their Trial? Not that the People have the Right of Election, but rather that this belongs to the Officers of the Church. Again, If the Church collective, or the People, tried these false Apostles, and found them Liars, is not this to yield an important Point to the Independents, and renounce an Article of our *Confession of Faith*, which had the Author of *Jus populi duly considered*, had kept him from a great many heedless Escapes he has made thro' the whole of the Book; it is the 3d *Art. of Clap. 31* 'It belongeth to Synods and Councils ministerially to determine Controversies of Faith and Cases of Conscience, to set down Rules and Directions for the better ordering of the publick Worship of God, and Government of his Church, &c.'

In my Inquiry after Scripture evidence for the Peoples Right of Election, I have hitherto been unsuccessful, and have represented fully the Grounds that have moved me to be of another Way of Thinking: But since there are several Ordinations of Persons into the holy Ministry mentioned in the New

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Testament, where we might reasonably expect to meet with something in Favours of the pretended Right of the *People*, it will not be thought, that I have finished and compleated what I proposed in this *Section*, unless I take them under my particular View and Consideration; therefore I shall, before I proceed to the other Sections of this Treatise, offer my Thoughts on them, submitting them to the Trial and Examination of these who are able to set me right on this Subject. The first I take under my Consideration is the Ordination of the preaching Elders, or the Ministers of the Church of *Ephesus*, which we have related, *Acts* xx. 28. where the Apostle *Paul* cautions them to *take heed to themselves and to the Flock, over the which the Holy Ghost hath made them Overseers*, &c. who had placed, constituted, or appointed. In this Ordination we have not the least Reason to think, that those Pastors of *Ephesus* were called or elected by the Members of that Church; but the Apostle *Paul* having sent to *Ephesus* for them to come to him at *Miletus*, he tells them, that the Holy Ghost had made them Bishops of that Church, and and cautions them to watch over themselves and the Flock. Now since the Holy Ghost had made them Overseers, it must have been either by nominating of them for the Ministry in that City, as when in a particular Mission of Ministers, to carry the Gospel to the *Gentiles*, the Holy Ghost designed by Name *Paul* and *Barnabas*, *Acts* xiii. 2. *Separate unto me Paul and Barnabas for the Work whereunto I have called them*, or they were placed and constituted Ministers there by the Apostle *Paul*, directed by the Holy Ghost to make Choice of these very Persons, either of which Ways made their Call to be extraordinary. *Marlorat in loc.* says, *Sed precipue in hoc insistit Paulus quod non humanitus ordinati sunt, sed illis a Deo mandata sit ecclesie cura*; i. e. "That which *Paul* chiefly noticeth is, "that they were not ordained by Men, but that

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" the Care of the Church was committed to them " by God." In those Times the Apostles had the Gift of discerning, they being filled with the Holy Ghost were assisted and directed to discern who were fit to be the Governors of the Church ; when therefore the Apostle told them, that the Holy Ghost had made them Overseers, he has undoubtedly in his View these twelve Persons who prophesied at *Ephesus*, of whom we have Mention made in the former Chapter. Verse 1. it is said, that *when Paul had come to Ephesus, he found certain Disciples*, Verse 6. *and when he had laid his Hands on them*, (this was a Rite in Ordination, and is often taken for the whole of that Action) *the Holy Ghost came upon them, and they spoke with Tongues and prophesied*. Ver. 7. *And all the Men were about twelve*. Now there he calls the Elders of the Church, chap. xx. 17. and having sent for them to *Miletus*, he puts them in Mind of their Duty to the Flock *over which the Holy Ghost had made them Overseers*. The Persons that were separated to the holy Ministry by the Apostles were not chosen by Men, but the Apostles either by their Gift of discerning of Spirits, or by a special Revelation of the Holy Ghost, did both chuse and ordain them. *Clemens Romanus* (of who it is said *Philip. iv. 3. that his Name is writ in the Book of Life*) in *Epist. ad Corinth. Sect. 42.* asserts this in direct Terms, *κατα χώρας εν ης πολεις κηρυσσοντες καθιστανον τας επιρχειας αυτων, δοκιμασας τα πνευματια; επιστατοις η διακονους των μαλλοισιν αις ειεν.* i. e. *The Apostles preaching through the Provinces and Cities appointed their first Converts, having Tryal of them by the Spirit, to be the Bishops and Deacons of those that should afterwards believe.* The same is related by *Clemens Alexandrinus* concerning the Apostle and Evangelist *John*, as he is cited by *Eusebius Eccles. Hist. Lib. iii. Cap. 23.* *Οτε δε κληρονομιας επιτιθησιν κληρωσωντων υπο του πνευματος σηματομενων; i. e. And other where electing into the Cler-*



by some one or other of those who were made known to him by the Spirit. Thus the Churches had their Pastors by the Election of the Apostles, guided by the Holy Ghost; so that there was no Place for humane Election in the apostolical Age, and it would seem that it must have been so in that Age; for by a Commission from their great Lord and Master, they were called to go through the World and disciple the Nations, and *preach the Gospel to every reasonable Creature*; and when by this Means an Apostle had in a City or Province planted a Christian Church, he was to ordain to that Church a Minister, (before he went to other Places) to officiate to them *in sacris* for their Confirmation and upbuilding in Faith and Holiness: But their Abode in one Place being but short, they could not by any humane Sagacity know, who of these Novices was fit for the Ministry; these new Converts being of no standing in Christianity, therefore it was necessary, that fit Persons should be designed and elected to them by the the Apostles inspired by the Holy Ghost: In these Churches newly planted and converted there were none accomplished for the Ministry but those who had received the Holy Ghost, by the laying on of the Hands of the Apostles. Another Place where the Ordination of a Minister is spoken of in the New Testament, is *1 Tim. iv. 14. Neglect not the Gift that is in thee, which was given thee by prophecy, with the laying on of the Hands of the Presbytery.* The Apostle Paul in his Epistle to Timothy gives him a directory, according to which he was to receive Persons into the Ministry, and lays down the Qualifications of such as he was to admit; but tho' these are particularly told, yet in these Epistles we meet not one Sentence concerning the Peoples Right of Election, and in these Epistles he several Times mentions the Ordination of Timothy; yet we have nothing recorded of the Peoples calling him, he became an Evangelist, an extraordinary Church officer, and had his Mission from God in a Way and Man-

ner that must satisfy every Body that he was not elected by Men. *Diodati* that eminent Pastor of the Church of Geneva in loc. gives the following Exposition, God having declared thy Vocation not by Votes of humane and ordinary Election, but by prophetick Revelation, and express Oracle signified to the Church by the Prophets, *κατὰ προφητείαν* by Prophecy, or according to Prophecy, i. e. according to these Prophecies that went before of thee. And so it is explained, 1 Tim. i. 18. This Charge I commit to thee Son Timothy, according to the Prophecies that went before of thee, that thou by them mightest war a good Warfare. Here *Diodati* observes, That by these God signified to his Church the calling of such and such Persons to be his Ministers. Now that there were such Prophets in the Church is plain and evident; for *Acts* xiii. 1. we have five of them named, and *Acts* xix. 6, 7. there were no less than twelve at *Ephesus*. Many in the apostolick Age had this Gift, and by it did discern who were fit to be employed in the Ministry; this was the Call of God to them. The Evangelists were the Assistants of the Apostles in the Propagation of the Gospel through the World, and Administration of sacred Things, and they called or recalled them when and whither they pleased both in the founding and rearing up of Christian Churches. *Timothy* being a Youth, the Apostle mentions the Prophecies concerning the assuming of him into the Ministry, because if these Prophecies had not gone of him, he would not have adventured to trust him with so high and extraordinary an Office. The Greek Fathers speaking of the Election of *Timothy* assert, That it was immediately by God himself. *Chryst.* in loc. says, *Τὸ ἐκλεῖν αὐτὸν προφητείας, καὶ οὐ μόνον ἀλλὰ καὶ ἡ τοῦ ἁγίου πνεύματος ἐκφώνησις* i. e. What is that by prophecy? It is to say by the Holy Ghost. And *Theodoret* expresseth it thus, *Οὐ γὰρ ἀνθρώπων τὸ ἐκλεῖν αὐτὸν ἀλλὰ καὶ τοῦ ἁγίου πνεύματος ἐκφώνησις* i. e. He received Ordination not by human Calling but by a Divine Revelation. Here, by the By, I observe, that the Word



Word *χειροτομία* is used simply to signify Ordination, where there were no Suffrages of People; and surely *Chrysostom*, who was the greatest Orator, and the most eloquent Preacher of the *Greek Church*, knew well the Signification of this *Greek Word*.

The last Instance of the Ordination of Ministers in the Christian Church, which I shall take Notice of, is that in the Epistle to *Titus*, chap. i. 5. where the Apostle writes to him, *For this Cause left I thee in Crete, that thou shouldst set in Order the Things that are wanting, and ordain Elders in every City as I had appointed thee.* How long the Apostle himself was in *Crete* we know not; for the inspired Historian *Luke*, who relates the Travels and Actings of this Apostle, does not mention his being at *Crete*; but it is most probable his Abode there was not for any considerable Time, being according to his Commission as an Apostle, to go thro' the World, and spread the Gospel to the Nations. *Crete* was a populous Island; the Ancients report concerning it, *That there were no less than an hundred Cities or Towns in it.* Now the Apostle having left *Titus* there, to ordain Elders in every City, and so many Ministers being wanting there, the Persons must be such as had been the Converts of the Apostle *Paul*, and of *Titus* the Evangelist. And the *Cretian* Converts being but Novices, he could not know by a mere human Sagacity who were fit for that sacred Function, but being an Evangelist, had the extraordinary Gift of discerning the Persons qualified for it; and being thus assisted without any human Election, ordained them: Not that I think he was Bishop, or Archbishop of that Island, as the Hierarchists assert; for according to them, such had their particular Charge or Diocese assigned them where they were to reside and labour in the Ministry; but *Titus* being an Evangelist, was not so restricted: For the next Year he was sent for by this Apostle to *Decapolis*, chap. iii. 12. And after that he went to *Dalmatia*, 2 Tim. iv. 10. Now the Apostle tells him, that he was  
to

to ordain Elders as he had appointed him, *i. e.* by Imposition of Hands, Prayer and Fasting, and shows him the Qualifications of those who were fit for the Ministry, both as to their Life, *ver.* 6, 7, 8. and Doctrine, *ver.* 9. But he says not that the Persons he was to ordain must be elected by the People. And here I must notice a Passage of *Theophylact* concerning him; he expressly says, *That the Apostle Paul committed to Titus the Tryal and Ordination of so many Bishops*, *Τὸ αὐτὸν ἐπισκοπεῖν κείνους καὶ χειροτονεῖν αὐτοὺς* where the *χειροτομία* is affirmed of one Person. So that this is another Proof, that that Word sometimes simply signifies *Ordination*. Thus I have finished the third Thing I intended, and it will now appear, that there is nothing in the New Testament that doth either expressly, or by necessary Consequence, establish to the People a Right of Election, or shew that they at any Time did exercise it at the Direction of the Apostles. And now I shall proceed to the fourth Thing I designed in this Treatise.

## S E C T. IV.

**I**T being evident from what has been advanced in the two former Sections, that the People have not a Divine Right to elect Pastors to vacant Churches; that they have not a natural Right nor a Divine positive Right; since neither of these is, neither expressly asserted in the Old or New Testament, or can be by a good and necessary Consequence deduced from so much as one Passage of the whole Bible, it may be thought needless to enquire what were the Sentiments and Practice of the primitive Church in the second, third, and fourth Centuries: For if this pretended Divine Right is not proven from the holy Scriptures, it can never be proved from the Writings of fallible Men, whether Fathers or Councils. And when I have searched the proper Vouchers from which their Sentiments may



may be known, I have found that there is no Harmony or Agreement among them. Some of them do maintain, *That the People should elect and chuse*; others deny it; and those who held they had this Right asserted, *That the Clergy were joint Electors with them*. Some were only for allowing them a Liberty of consenting. This Variety of Opinion is very strange, if we consider that the Pastors of the Church had not legal Stipends or Benefices established to them by the Civil Magistrate, but the People did voluntarily contribute to their Support and Maintenance, and could withdraw it when they pleased; so precarious was their Encouragement to *serve at the Altar*. In *England* those who dissent from the established Church, such as *Presbyterians* and *Independents*, who, by Reason of their great Wealth and Riches, can provide their Teachers honourably, take Care that the Right of Election shall be in the Hands of the Contributors, and it is just that it should be so. In *Scotland* those of the *Episcopal* Communion, who dissent from the established Church, by Reason of the Poverty of our Nation, must have very small Encouragement unless they have Remittances from *England*, and I believe that their Hearers chuse them; but as to the primitive Church this seems to have been a very debatable Point among them.

I shall in this Section, 1. Relate the Sentiments of the most considerable among the Fathers; and then 2. Of their Councils. As for the Fathers, *Clemens Romanus*, of whom the Apostle *Paul* makes honourable Mention, *Phil. iv. 3.* as one *whose Name was writ in the Book of Life*, deserves the the first Place. He speaks of the Consent of the whole Church to the Persons ordained to the Ministry, but does not call the Acting of the Church an Election. In his first *Ep. § 44.* he says, 'That Bishops were ordained by the Apostles, and afterwards by other eminent Persons  
*Συνενδοις κληρικών της εκκλησίας πατρῶς. i. e. the whole Church*

Church consenting or approving. *Origin* says, 'The People must be present, and that their good Testimony to the Person must be had,' which never can amount to an Election. He says, *Homil. in 6. Lev.* 'At the Ordination of a Priest, the People are required to be present, because he who is more excellent, learned, holy and best qualified of all the People is chosen to the Priesthood;' this he says is what the Apostle commanded concerning the Ordination of a Priest, *He must have a good Testimony of them that are without, 1 Tim. iii. 7.* Lord Chancellor *King* in his *Constitution, Discipline, &c. p. 47.* adduces several Passages out of *Cyprian's* Epistles, to prove that *Cyprian* was chosen Bishop of *Carthage*, by the Inhabitants and Members of the Diocese, *Ep. 55. § 6. Populi suffragium*, i. e. the Suffrage of the People, § 7. *Populi universi suffragio*, i. e. with the Suffrage of the whole People; and *Ep. 40. § 1. Suffragium vestrum*; But the learned Author of *An original Draught of the primitive Church*, in Answer to my Lord Chancellor's Book, has well observed, That *Cyprian* does not use the Word *Suffragium* to signify a proper elective Voice, but to signify a solemn Testimony, a publick Approbation, and a Good-liking of the Thing done; and this *Cyprian* had of the People of *Carthage*, when he was chosen and ordained their Bishop; and that this is *Cyprian's* manifest and familiar Sense of the Word *Suffragium*, the fore-mentioned Author makes evident, to the Conviction of every Body, from several Citations out of *Cyprian's* Works, *Tract. de zelo, Ed. Oxon. p. 223.* where speaking of the Peoples Transport of Joy and Satisfaction at *David's* slaying of *Goliath*, says, *Populis admirans in laudes David predicationis suffragio prosiliit*, i. e. they broke forth into Commendations of *David*, with Suffrage of Applause. What can this Suffrage of Applause signify but plainly the Testimony of the Peoples highest Approbation of the Thing done, not expressed by way of Votes to be sure, (for it would be absurd to imagine that) but by



publick Acclamations of them all, as infinitely pleased with what that holy Champion had done. Again, in his Treatise *De vanitate Idol. Edit. Oxon. p. 16.* speaking of the *Jews* importuning *Pilate* to crucify our blessed Lord, he says, *Magistri eorum Pontio Pilato tradiderunt crucem ejus & mortem suffragiis violentis & pertinacibus flagitantes*, i. e. they delivered him up to *Pontius Pilate*, requiring of him, by violent and importunate Suffrages, that he should be crucified; and what meant those importunate Suffrages more than to shew their wicked Inclination, Desire, and highest Approbation of the Thing, if *Pilate* should pass such a bloody Sentence upon him? For they declared themselves they had no Power in the Act of putting any Man to Death, *Jo. xviii. 31.* and yet *Cyprian* in his Language calls this the Suffrage of the *Jews*. This is further confirmed to be *Cyprian's* Meaning of the Word *Suffragium*. By another Passage cited by the Chancellor out of *Cyprian*, *Apud nos & fere per provincias universas tenetur ut ad ordinationes rite celebrandas, ad eam plebem cui propositus ordinatus, episcopi ejusdem provincie proximi quique conveniunt & episcopus delgatus plebe presente, quæ singulorum vitam plenissime novit & universusque actum de ejus conversatione perspexit; quod factum videmus in Sabini ordinatione ut de universa fraternitatis suffragio & de episcoporum judicio episcopatus ei deferretur, Epist. 68.* This is thus translated by the Lord Chancellor. This Custom generally prevailed throughout *Africa*, where, upon the Vacancy of a See, the neighbouring Bishops met together at that Church, and chose a Bishop in the Presence of the People, who knew his Life and Conversation before, which Custom was observed in the Election of *Sabinus* Bishop of *Emerita* in *Spain*, who was advanced to that Dignity by the Suffrage of all the Brethren, and of all the Bishops there present. The learned Author of the *Original Draught*, &c. makes this Reflection, 'That in this Account we are to distinguish these two, 1<sup>st</sup>, What the

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general Custom was; and 2<sup>dly</sup>, The particular Ordination of *Sabinus*, which seems to have been in all Points conformable to it. Of the general Custom it is affirmed, that the neighbouring Bishops met together, and chose a Bishop; but of the People this only is said, that it was in their Presence, who knew his Life and Conversation before. I can therefore see no Ground for a popular Election here, but that their Knowledge of his Life and Conversation before should qualify them to give Testimony of his moral Conduct and Behaviour among them, and so encourage or discourage the Bishops in making or confirming their Election, is a genuine and natural Inference from that Expression. And if we will allow *Cyprian* to make his References and Similitudes apposite and agreeable to the Subject he applies them to, we must conclude it was his own Meaning; for upon this very Argument, and in the same Place, he refers to God's Instructions to *Moses* to bring forth *Aaron* and *Eleazar* his Son, and place them before the Congregation, in order to consecrate the Son the Father's Successor. And I presume no Man infers from hence that the Congregation of *Israel* chose or voted *Eleazar* to the High Priesthood, because it was appointed to be done in their Presence. To all these I shall subjoin another Citation out of *Cyprian Ep. 4<sup>th</sup> ad plebem*, § 1. which the Lord Chancellor, p. 36. takes Notice of, where he intends to show that the People were present at Church Censures, and concurred at the Excommunication of Offenders, *Secundum vestra divina suffragia conjurati*. Here by *suffragia* cannot be meant a decisive Voice in the Sentence of Excommunication, for no Presbyterian will allow that to the People, and consequently all their Concurrence runs by an Approbation of the Sentence past by the Rulers. The noble Author of the *Constitution, Discipline, &c. of the primitive Church*, relates also a memorable Passage out of *Eusebius, Eccles. Hist lib. 6. cap. 28.* (with me it is cap. 29.) concerning the Advancement of *Fabianus* to the Bishoprick of *Rome* upon the



Death of Bishop *Anterius*, τῶν γὰρ ἀδελφῶν, *Ec. i. c.*  
*All the Brethren met together in the Church to choose*  
*a Successor, proposing several illustrious and eminent*  
*Personages as fit for that Office, whilst no one so much*  
*as thought upon Fabianus then present, but a Dove*  
*miraculously came and sat upon his Head in the same*  
*Manner as the Holy Ghost formerly descended on our*  
*Saviour, and then all the People guided as it were*  
*with one Divine Spirit, cried out with one Mind and*  
*Soul, that Fabianus was worthy of the Bishoprick,*  
*and so straightways taking him, they placed him on*  
*the Episcopal Throne.* This passage, if it prove any  
 Thing (for I apprehend it to be like a Fable) it proves  
 that neither Bishops nor People elected him, but that God  
 did it in an extraordinary and miraculous Way; for so  
 the People concluded, and it is said, *They were all guid-*  
*ed by one Divine Spirit.* Eusebius himself thought it  
 a divine Election; because the Title of that Chapter  
 is, περὶ Φαβιανου, *Ec. i. c.* concerning Fabianus, how  
 unexpectedly he was designed by God to be Bishop of  
 Rome; and as to their crying out that Fabianus is  
 worthy, this is a Proof of an Approbation and not of  
 an Election, for Valesius his Note on the Place is, *That*  
*this was the solemn Acclamation at the Election of*  
*Bishops.* He says, That at *Eradius* his Election,  
 they cried out, *Dignus est, justus est,* He is worthy  
 and just, and five Times, *Bene meritus, bene dignus*  
*est,* he is very deserving, he is very worthy. Nay I  
 find that a Person has been elected when the People  
 gave the contrary Acclamation, for *Philostorgius*  
*Eccles. Hist. lib. 9. Sect. 10.* of Δημοφίλος, he says,  
 "That *Demophilus* was ordained at *Constantinople* by  
 " *Theodorus* Bishop of *Heraclea*, many of the People  
 " present crying out (instead of ἀξιος he is worthy)  
 " ἀνάξιος he is not worthy." We have no less remark-  
 able a Story related by *Eusebius Eccles. Hist. lib. 6.*  
*cap. 11. xj. d.*, *Ec. i. c.* "*Narcissus* Bishop of *Jerusa-*  
 "*lem*, being no longer able to officiate, by Reason of  
 " his very great Age, the Providence of God made  
 " known to him in a Vision by Night, and called the  
 " fore-

forementioned *Alexander* Bishop of another Church  
 to be Coadjutor in the Discharge of his Office ; by  
 this Revelation therefore, as if he had been warned  
 by some Oracle from God, *Alexander* made a Jour-  
 ney to *Jerusalem* from *Cappadocia*, upon Account both  
 of praying there, and seeing the Places ; the Bre-  
 thren there received him most kindly, and would  
 not permit him to return home, because of another  
 Revelation made known also to them by Night, and  
 a Voice most plainly uttered to some, who were the  
 most eminent for Piety amongst them ; for it told  
 them, if they went out of their Gates, they should  
 meet him who was predetermined by God to be their  
 Bishop ; when they done this with the common Con-  
 sent of the Bishops who governed the Churches round  
 about, they forced him of Necessity to continue  
 there. If this be Truth, all that can be gathered  
 from it, is, that the Election was by God himself in  
 an extraordinary Manner, and that if the People in  
 our Days had such Revelations, designing the Persons  
 that should be their Ministers, their Choice of such  
 would be never called in Question. When the People  
 attempted to make an Election of a Bishop of *Rome*,  
 some of them siding with *Damasus*, and others ap-  
 pearing for *Ursinus*, a great Disturbance and Sedition  
 happened in *Rome*, and there followed a great Slaugh-  
 ter of Men ; of this I am informed by *Socrates Eccl.*  
*Hist. lib. 4. cap. 29.* ἡ δὲ ἀνταγωνία, &c. i. e. "This  
 Action raised a Dissention among the Populace, they  
 disagreed among themselves, not upon Account of  
 the Faith or any Heresy, but about this only, to  
 wit, who ought to be put in Possession of the *Epis-*  
*copal* Chair ; hereupon there happened frequent Con-  
 flicts of the Multitudes, in so much, that many  
 were killed on Account of that Variance, for which  
 Reason many Persons as well Laicks as Ecclesiasticks  
 were punished by *Maximinus* then Præfect of the  
 City. This and many other Instances of the sad Ef-  
 fects of popular Elections which have happened, made  
 always Governments, for the Peace and Safety of So-  
 ciety,



ciety, fall on Ways and Means of chusing and electing  
 Ministers after another Manner. There is another  
 mentioned by Mr. Gillespie *Misc. Quest. p. 17.* where  
 he says that *Ambrose* was chosen Bishop of *Milan* with  
 the uniform Voice of the Church. He cites for this *Soc-  
 rates Hist. lib. 4. cap. 25. ('tis cap. 30.)* I shall relate  
 the Story as it is there, *ὅτι δὲ τοῦ αὐτοῦ χρόνου, &c. i. e.*  
*About the same Time there happened another Thing*  
*worthy to be recorded, which came to pass at Mi-*  
*lan, for Auxentius Bishop of that Church being dead,*  
*who had been ordained by the Arians, the Inhabitants*  
*of Milan were again disturbed about the Election of*  
*a Bishop, and there was a great Contention among*  
*them, some making it their Business to elect one Per-*  
*son, and others another: When a Sedition was raised*  
*about this Matter, the Governor of that Province, a*  
*Person invested with a consular Dignity, whose*  
*Name was Ambrosius, fearing lest some Absurdity*  
*might happen in the City caused by that Tumult,*  
*ran into the Church, in order to his appeasing the*  
*Uproar, after that the People upon his coming thi-*  
*ther were quieted, and that he had repressed the irra-*  
*tional Fury of the Multitude by a long and very use-*  
*ful exhortatory Oration, there happened on a sudden,*  
*an unanimous Agreement among all Persons, who cry-*  
*ed out that Ambrose deserved the Bishoprick, and all*  
*made it their Request that he should be ordained. But*  
*what Kind of a Proof is this, for this People were con-*  
*vinced in a very particular Way, for tho' Ambrose made*  
*a long Oration, yet as the Title of that Chapter bears,*  
*he went with a military Force to appease these Tu-*  
*mults, μετὰ στρατιῶν καὶ χειρὸς καταπαύας.* This in our  
 Part of the World would be looked upon as an Inva-  
 sion on the Right of Electors, as a depriving them of  
 their Liberty; however it was otherwise here, for  
*Socrates* adds, that this unanimous Consent of the Peo-  
 ple seemed to the Bishops (so that they were also E-  
 lectors) that were present to proceed from some Divine  
 Order or Appointment; and the Emperor admiring  
 this unanimous Consent, commanded he should be  
 or-

ordained, for that he was elected by the Suffrage of God rather than of Man. Mr. Gillespie mentions the Election of *Chrysostom* to be Bishop of *Constantinople*. This he brings as a Proof of a popular Election; but the very Relation of this Fact will shew how impertinently it is alledged; we have it in *Socrates Eccl. Hist. lib. 6. cap. 2. sub. 27, &c.* Forthwith therefore a Contention arose about the Ordination of a Bishop, and some desired one Person, others another; when a Consult had been held several Times about this Matter, it was at last concluded on, that *Johannes* (he was termed *Chrysostom. i. e. Golden Mouth*) a Presbyter of the *Antiochian Church* should be sent for from *Antioch*, for a Fame was spread concerning him for his Learning and Eloquence; within some small Space of Time thereafter, the Emperor *Arcadius* with the common Consent of all Persons, I mean the Clergy as well as Laity, sends for him.—The Grantees of the Imperial Palace gave *Johannes* the Preference.—And *Eutropius* the chief Person of the Bedchamber to the Emperor, bids him (*i. e. Theophilus*) take his choice whether he would ordain *Johannes* or be brought to his Trial, and answer the Accusations on Foot against him; *Theophilus* terrified herewith, ordained *Johannes*, he being therefore ordained, was seated in the Episcopal Chair, in order to his bearing the Office of a Bishop; now if the preferring of him was done by the Grantees, and if *Theophilus* out of Terror ordained him, what Evidence does there arise from this Election for the People's Right? Had Mr. Gillespie in his *Misc. Quest.* given us the Words of these Passages, every Body at the first View, would have perceived, that they rather did militate against him, than make for him. *Ruffinus Hist. lib. 10. cap. 9.* sayeth, *That Frumentius was ordained Bishop to the Indians, Indis nihil scientibus neque cogitantibus;* but because it may be said, that a Pastor may be sent to Infidels who know nothing of Christ, and so cannot elect for themselves, therefore I shall mention another Instance where this Pretext can have no Place, which

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is contained in a Letter of *Epiphanius* to *John* the Bishop of *Jerusalem* : He writes him, 'That he had ordained *Paulinianus* a Presbyter, the People not consenting, *fratribus inconsultis*" And *Augustine* the Monk was ordained a Bishop by *Gregory* the first, and sent to *England* to reach them, the People of *England* knowing nothing of it, *Anglis nescientibus*. Thus we see the Fathers are not of one Mind about this Matter, they differ from and contradict one another : And none of them placeth this Right of Election solely in the People, but allow a Suffrage to the Clergy in the Election. The noble Author of the *Const. Disc. of the Primitive*, &c. observing this, 'That sometimes the Election is by the Fathers said to be by the Suffrages of the Clergy,' and others of them say, 'it was done by the People,' thus made him to say, *pages 48, 49.* by Way of Reconciliation, 'But whether the Election of a Bishop be ascribed to the adjoining Ministers, or to the People of that Parish, it comes all to one and the same Thing.' But few of the present Sticklers for the Right of the People will agree with him, though he gives this Reason, neither the Choice of the Bishops of the Voisinage without the Consent of the People, nor the Election of the People without the Approbation of those Bishops was sufficient or valid of itself, but both concurred to a legal and orderly Promotion.

2. I have enquired, If there is any better Harmony and Agreement amongst the Councils of the *Christian Church*. And here if we will believe the Author of *Ius populi divinum*, there will be no doubt of it that these Assemblies were for the Peoples Right of Election: For he says, *page 53.* *Many Councils might be cited, asserting the Peoples Right to chuse their own Pastor, as the Councils of Nice, Constantinople, Carthage, Chalcedon, Loadicea, and many others, in some of which the Want of popular Election was held to make a Minister's Ordination void.* But it would appear, that this Author either takes Things upon Trust, or has a Design

sign to impose upon his Readers; in examining of this, I shall begin with that Council which he mentions last, to wit, The Council of *Laodicea*, which was before all the Councils he mentions except that of *Nice*; for, as Historians relate, it was held betwixt the 360 and 370. There are two Canons of this Synod the perfect Reverse of what he asserts; for the fifth Canon ordains, Πᾶσι τῶν μὴ ἐκ τῆς χερσὸς τοῦ ἐκκλησιαστικοῦ ἀνθρώπου μὴ ἐν γένεσιν i. e. *That the Election should not be made in the Presence of those who are in the Rank of Hearers.* And this, by the By, is another Proof of the Use of the Word *χρησθῆναι*; for an Election where there were no Suffrage of the People, and agreeably to this Canon, it is appointed in the 13th Canon, Πᾶσι τῶν μὴ τοῖς ὄχλοις ἐκκλησιαστικῶν ἀλλ' ἐκλογὰς ποιῆσθαι τῶν μελλόντων καθίστασθαι ἐκ κληρικῶν i. e. *It is not to be left to the Multitudes to make the Elections of those who are to be ordained to the Priesthood;* where those they had called the *Hearers* in Canon 5th are called the *Multitudes*. This is the Decision of an œcumenical Council, the Canons of which were looked upon as obliging the universal Church. Here I shall subjoin the 15th Canon of the Councils of *Antioch*, held anno 341 and 342. Εἰ τις ἐπισκοπῶς Ἐκ. i. e. *If a Bishop, who has no Bishoprick, invades a vacant Church without the Authority of a Synod, he ought to be driven away from it, even though the People of the Church should chuse him.* This was also one of the œcumenical Councils. *Arsenius* the Monk in his *Synopsis canonum*, which is to be found in the second Tome *Biblioth. jur. can.* published by *Voellus* and *Justellus* refers to Can. 18. of the Synod of *Antioch*, and the 36. Canon of the holy Apostles, when he gives us the Epitome of these Canons, Οὗτοι οὖν τῶν ἐκκλησιαστικῶν Ἐκ. i. e. *Those who are ordained Bishops, and are not admitted by their own Diocese, without any Fault in them, are to enjoy their Dignity, and discharge their Functi-*



on until a full Synod shall give Orders concerning them; but his Clergy that doth not receive him shall be excommunicate. Thus it appears that two œcumenical Councils were against this Right of the People. I shall proceed to the Consideration of what he says he might cite from the Synods of *Nice* and *Carthage*. As to what was done by the Synod of *Nice*, he'll be pleased to know, that in the 20 Canons of that Synod now extant there is not one Word for the Peoples Right: But that which is commonly alledged from that Council is a Letter of theirs to the Church of *Alexandria* concerning the churches of *Egypt* for censuring the Disorderliness of *Melitus*; and if he knows not where to meet with it, I will direct him to *Theodore's Ecclesiastical History*, *Lib. 1. cap. 6.* When any of the Ministers of the church shall happen to die, then let these be advanced to their Place and Honour who are approved, *Μονοι αι αξιοι & ο λαος απρο.* *Ec. i. c.* provided they appear worthy, and the People chuse them: Notwithstanding the Bishop of *Alexandria*, say they, his Suffrage must be had to confirm the Judgment of the People. Thus I shall allow him, that the Council of *Nice* is on his Side; I shall also yield to him the Council of *Carthage*; this was the third Council of *Carthage*, held anno 397, the 22d Canon expressly bears, That no clergyman shall be ordained who has not been examined by the Bishops, and approved by the Suffrages of the People. But this was not an œcumenical Synod, it consisted only of those Bishops that were deputed from the Provinces of *Africa*. Thus it is evident we have two Councils for the Peoples Right, and two against it; and since it is so, pray what Argument can be made from either? Can the Canons of fallible Men shew any more than what they thought expedient or fitting in a Case wherein God hath given no Determination. As to the Council of *Constantinople*, he does not tell what Council held at *Constantinople*, which was needful to be known; for there were no less

less than four assembled at that Place in the fourth Century; in none of them can I find the Peoples Right of Election asserted but the third; That Council, as Dupin relates the Matter, declares, *That according to the canons of the Council of Nice they believed, that the Bishops of each Province ought to ordain the Bishops of their own Province, and call in to their Assistance their Neighbours also if they thought fit; that according to this Law Nestorius was ordained Bishop of Constantinople in the General Synod, with the consent of the People and clergy of Constantinople, and in the Presence of the Emperor.* Here is no more ascribed to the People in the Ordination of a Bishop than a Liberty of consenting, and this the Clergy had equally with them. *The council of Chalcedon, he says, he might cite.* This Council was held in the fifth Century, but determines nothing in Favour of the Peoples Right. In the fourth Canon it ordains, Μα-  
δενα απολαυει ος Ec. that is, *It forbids the Ordination of any clergyman absolutely, and without a church-title, that is to say, who is not set apart to the Service of some church, either in the city or country, or of some chapel or monastery; and declares those Ordinations void that are celebrated otherwise:* And further, *That their Names be publickly read.* But what is there here for a Right of Election? Are not all Ministers in Scotland ordained to particular Flocks? And are not their Names published before the Congregation at the serving of their Edicts? But there are few of these Ministers that have been elected by the People, or have their Calls subscribed by them. The Author of *Jus populi* says, *He might cite many other councils;* this he will probably do at another Occasion; But I shall cite to him two that Cardinal Bellarmine had long ago mentioned, to wit, the Council of Constantinople, and the second Council of Nice, and acquaint him what Amesius, whom he himself cites at every Turn, says in Reply, *For-  
 san aliquid tentatum fuit adversus populi liberta-*



tem, i. e. "Perhaps they attempted something against  
" the Liberty of the People."

## S E C T. V.

**T**He last Thing laid down in the Plan of this Treatise was to enquire into the Sentiments and Practice of Protestant Churches and Divines since the Reformation. And here, as to the Church of *Scotland*, I have in the first *Section* made it evident that she has never made any publick Declaration of a fixed Principle on this Point, *viz* the Persons who have the Divine Right of Election of Ministers; nay, so far has she been from doing this, that no Directory or Rule has as yet been proposed, that has for any considerable Time been observed, but she has changed several Times.

My Enquiry now is concerning the Sentiments of foreign Churches and Divines, and having searched with Care and Exactness, I learned from them, that that as to their Judgment, the Officers of the Church are the chief Electors of Ministers, and that no Protestant Churches or Divines have maintained that the People are originally the proper and sole Electors of Ministers by a Divine Right: I say Electors; for I must own that a few, and but a few seem to assert that they have a Negative, that is, that Ministers are not to be settled without the Consent and Approbation of the People. I do therefore assert that no protestant and reformed Church ever maintained that the People are originally the proper and sole Electors, except the Independents, who assert that the calling a Minister doth essentially consist in the Election of the People, this being their Favourite and characteristick Principle. Every Body must think the Author of the *Jus populi* was all along impertinent in citing Dr. *Owen* and Profr. *Amesius* so frequently, as being for the Peoples having the sole Right of Election. Is it of any Weight with a Presbyterian? Or is it therefore a Presbyterian and a Reformation Principle, because Independents hold it? Mr. *Rutherford*, in his *Due Right of Presbyteries*,  
ex-

expressly declares he will not go that Length, when he says, *p.* 205. 'Nor are we of Dr. Ames's Judgment, that the calling of a Minister doth essentially consist in the Peoples Election; for his external Calling consisteth in the Presbytery's Separation of a Man for such a holy Calling as the Holy Ghost speaketh.' I own indeed that these Denominations of Dissenters in *England*, who calls themselves Presbyterians and Independents, agreed in Year 1690, to bury in the Grave of Oblivion those Names of Distinction, and that they should from that Time be designed *united Brethren*, and that then it was one Head of their Syncretism and Agreement, that each particular Church hath a Right to chuse their own Officers. But was it suitable to adduce this here as the Author of *Jus populi* does, *p.* 65, 66. when he knew very well, that for their mutual Peace and Interest, and because of their Situation as to the civil Government, the Presbyterians went into this, not because 'tis a Presbyterian Principle, but because they having no legal and established Stipends or Benefices, but only such Encouragement as to their Support and Maintenance as the People, their Hearers, out of their Bounty, and at their Pleasure gave them. This being the Case with them, they declare that such Congregations and particular Churches, as thus voluntarily assembled together and contribute for their Subsistence, have the Right to chuse these Persons whom they thus support; but will any from hence conclude that they declare this as what is the common Sentiment of all Presbyterians.

The Author of *Jus populi* fills up 40 Pages with an Account of the Judgment of reformed Churches and Protestant Divines since the Reformation about this Point; and to make sure Work, has two Strings in his Bow, so that if one should break and fail him, he may have the other to trust to. The one is, 'That the People originally are the proper and sole Electors of Ministers *de jure*,' and if he cannot make  
out



out this by his Vouchers in the above mentioned Pages ;  
 \* the other is, That let the Nominators or Electors be  
 \* who they will, the People were allowed to have a Ne-  
 \* gative ;' for they maintain that no Ministers ought to  
 be settled without the Consent and Approbation of the  
 People. Let us for the Time yield, that either the  
 one or the other was maintained by these Churches  
 and Divines. Does not even this abundantly show  
 that these Churches and Divines were not of one  
 Mind, that there is not that Harmony of Opinion a-  
 mong them that could be wished for,

Now let us consider how he makes out either the  
 one or the other. And 1. For this Purpose he cites  
 the Confessions of several reformed Churches, from  
 which he would infer either the one or the other. The  
 Confession of the Belgick Churches, *Art. 31. Credi-*  
*mus, &c. We believe that the Ministers of God's*  
*Word, Elders and Deacons ought to be chosen to*  
*their Functions by lawful Election of the Church,*  
*with Invocation of the Name of God, and in that*  
*Order which is taught in the Word.* The Synod  
 of Middleburg decreed anno 1581. *That the E-*  
*lection of Ministers should be in the Power of the*  
*Church, and that it should be by Suffrages publickly*  
*in the Temple.* The Confession of the Churches in  
*Helvetia or Swizzerland, When it is God's true E-*  
*lection it is approven by the Suffrage of the Church,*  
*and the laying on of the Ministers Hands.* The  
 Confession of the Churches of Saxony, *Nam & ecclesie*  
*electionem, &c. For he much approves Election by*  
*the Church, and thro' his immense Goodness it is ef-*  
*ficacious, the Gospel also sounding forth by such as*  
*are chosen with Suffrages or in the Name of the*  
 Church. From all these Confessions, because Electi-  
 on is ascribed to the Church, he would infer that the  
 Right of Election belongs to the Members of the  
 Church or the People ; but it will appear that this  
 Writer reads Confessions without any Manner of  
 Judgment, as he seems to have done a great many  
 Books

Books cited by him in his *Jus populi*, and that his Reasoning is false, if it is considered, 1. That the Composers of these Confessions wisely laid down their Judgment in a general Expression and Phrase, when they ascribe the Election of Ministers to the Church, for they did not think it fit to descend to Particulars, and thereby fix Bounds and Limits, as to the Persons who are to be the Electors. They knew very well that Doctors differed very much among themselves concerning this Subject, and finding they could not be all of one Mind, they judged it preferable to leave some things undetermined. For should a Synod or Council give a Decision as to every Point of Doctrine, Government, Worship and Discipline, about which the learned have entertained different Sentiments, would not Confessions swell so as become considerable Volumes, and fill the Church with such Heats and Divisions, and lay a Foundation for so many different Sects and Denominations, that instead of finding the Church a peaceable and quiet Habitation, we shall meet with nothing in it but Wars and Broils, Divisions and Dissentions. Now the Composers of these Confessions, knowing very well that many stood up for the Rights of Church-officers in Elections, and others for the Rights of the People, and having no Prospect of deciding to the Satisfaction and Contentment of all, they waved the coming to a nice Decision, or ridding Marches between Pastors and People in this Business, and judged it safest to hold in a good General. And now it will appear that I speak not without a Book, if we call to mind what a National Assembly of this Church did in *anno* 1645, when the *Westminster* Assembly sent down their Advice concerning the Ordination of Ministers, they did approve of it, 'Provided always that this Act approving  
' shall be noways prejudicial to the further Discussion  
' and Examination of the distinct Rights and Interests  
' of Presbyteries, (N. B.) and People in the Election  
' of Ministers, but that it shall be free to debate these  
' Points



\* Points as God shall be pleased to give further Light. Here it appears, that that Assembly were of the Mind, that the Rights of Presbyteries and People in Elections are yet undetermined, that they are debateable Points, and that they needed further Light from God to settle these Matters. It being so, with what Confidence can this Author, Page 79. represent, ' That this is a settled Matter, that the Right of Election is by Protestant Divines given to the People, and of Ordination to Church-Officers ' That Assembly was a Convention of Protestant and Presbyterian Ministers, and tells us, That Presbyteries had a Claim to act in Election as well as Ordination. 2dly, Had this Author adverted to the Meaning put on the Word *Church*, and the Phrase *whole Church*, when these Confessions speak of the Election of Ministers, he would have been of another Way of Thinking. I shall therefore shew him how the best and most learned Professors of Divinity have understood it. *Amandus Polanus synt. theol. Lib. 7. cap. 14.* includes under it both Pastors and People, *Quod attinet ad legitimam, &c.* ' As to the Election of Pastors, there is required the free and honest Consent and Suffrage of the whole Church concerned, i. e. of Presbyters and Flock.' Another is *Waleus*, who is cited *Jus populi, p. 70.* But because he gives us not his Words, I shall give them as I have them related to me; for I have not the Book by me to which the *Jus populi* refers. *Dicimus electionem ministri ad totam ecclesiam certo respectu pertinere ordine, tamen debite observato, ut preant ecclesius presceti, assentiatur populus quisque suo ordine, quia examen doctrine & morum, & confirmatio ex impositione manuum ad eos pertinent, ergo & electio maxima ex parte ad eos pertinet, quia hac sine arbitrio & judicio de ipsis personis fieri non possunt;* where he explains the whole Church so as to contain both Rulers and People, and asserts that the Election belongs chiefly to the Rulers. *Turretin Inst. theol. Elen- Loc.*

Loc. 18. Q. 24. proposes the Question thus, *An jus elegendi & vocandi pastores ad solos episcopos pertinent, an vero ad totam ecclesiam?* He affirms the last, that it belongs to the whole Church, and when he is stating the Question, he tells us § 6. what he means by the whole Church; he says, *Ut in ecclesia tres ut plurimum sunt ordines politicus, ecclesiasticus & æconomicus, sive presbyterium, magistratus & populus, ex quibus omnibus velut ex membris ecclesie constat nullus status ecclesia ab hoc opere simpliciter excludendus est, sed singulis sue partes sueque officia sunt relinquenda. In genere dici potest presbyterio competere formaliter, quoad examen, electionem & ordinationem, magistratui eminenter, quoad approbationem, confirmationem & applicationem ad munus, populo vero virtualiter quoad consensum & ultro-neam admissionem.* This eminent Protestant Divine ascribes not only the Trial and Ordination to the Church Representative, but the Election itself, and allows only to the People a Liberty of consenting and admitting. I shall mention no more than the four Professors of Leyden, Rivet, Polyander, Thibius and Waleus, *Synop. purioris Theol.* The Passage is cited *Jus populi*, p. 70. *Jus pastores elegendi est penes ecclesiam ac proinde plebi commune cum presbyteris, jus ordinandi soli presbyterio est proprium.* Here I am very much offended and scandalized at the Art and Craft of the Author of *Jus populi* by his Translation; for, that he may impose on his *English* Reader, and make him believe that it was the Judgment of these great Divines that the Right of Ordination only belonged to Presbyters, and that they had no Right of Election, renders the Passage thus, 'The Right of choosing Pastors belongs to the Church, and therefore common to the people or Commonality.' Here he gives no Version of these Words *cum presbyteris*, wherefore the true Translation is, 'The Right of electing Pastors belongs to the Church, and is therefore common to the People with Presbyters.'

P

by.



‘byters.’ I appeal to the World if this is honest and fair Dealing. Is not this to make Authors speak as he would have them? These protestant Divines explain the Term *Church*, so as sometimes to comprehend both pastors and people, and at other Times so as to take in the Magistrate with them. How then can this Author understand these Confessions, when they speak of Election by the Church, of the people only, and from these Confessions pretend that the people have the Election given them.

3. As to the Citation from the *Belgick* Confession: He explains the Word *Church* of the People, and brings *Maresius* saying so; but I oppose *Maresius* to *Maresius*; for *Syst. Theol. loc. 15 § 64 Cura quam in ecclesiis bene constitutis & plena libertate utentibus suum jus distinctum competit, senatui Ecclesiastico, Magistratui fideli et toti populo, illi per Electionem, huic per Approbationem, et isti per ultroneam Admissionem.* Where he expressly ascribes Election to the Ecclesiastical Senate, which is the Presbytery: Again he should have reflected, that the Divines from *England*, the Bishop of *Landaff*, Dr. *Hall*, Dr. *Davenant*, and Dr. *Ward*, did all approve of that Confession. But surely it could not be the declared Sense of that Synod to this Article of the Confession, viz. *That by the lawful Election of the Church, is meant the lawful Election of the People*, for that is not the Manner of the Election of the Church of *England*.

4. As to the Citation from the *Helvetick* Confession, where it is said, that God’s true Election is approved by the Suffrage of the Church; The Meaning of the Word *Church* there, is not the People exclusive of Pastors from the Election, for, in the second Confession of that Church, the People seem rather to be excluded, for this is cited, *Jus Pop. pag. 61.* according to his own Translation thus, *Let the Minister of the Church be called and chosen by lawful and ecclesiastical Election, i. e. Let them be chosen religiously by the Church, or such as are deputed by the Church for that Effect, in the just Order, and without Tumult,*

*mult, Seditions and Contentions*; where they allow of a Deputation in this Business, which the Author disproves. And the Citation he has out of *Zuinglius* p. 72. takes in with the faithful in Elections, godly and certain learned Bishops, and other faithful Men, having skill of Things, should choose a Pastor.

5. This cannot be the Meaning of the Word *Church* in the Confession of *Saxony*, where it is said; *He much approves of Election by the Church*. To confirm this he cites *Chemnitius* a *Lutheran* Divine, saying in his *Exam. Concil. Trid.* pag. 226. *That Examples in Apostolical History clearly shew, that Election or Vocation did belong to the whole Church*. Now to find out the Meaning of this, I refer him to a Passage of *Chemnitius*, which I find cited in the Right of Patronages re considered, pag. 23. *Optimum erit si Ecclesia ministrum eligat; ordinet; examinet; Magistratus nominet, decernat et Confirmet, popularis approbet*. There he ascribes the Nomination to the Magistrate, the Election, Ordination and Trial to the Church Representative, for he last of all ascribes the Approbation to the People.

6. I am again stumbled at the unfair Translation of the Art. of the *Bohemian* Confession, *Jus Pop.* p. 63. *Utque ad hoc munus vocentur ex plebe pia et fidei, viri pleni fide et inculpati*, which he translates thus, *And that they should be called to the Exercise of that Office by the People that are godly and believing, being Men full of Faith and Blameless*. Such a barefaced Perversion of an Author, we will scarce meet with; Could the Authors of the *Index Expurgatorius* do any Thing worse than this? *Ex plebe pia et fidei* is to be rendered thus: *Out of the People that are godly and faithful, and not by the people*. Thus he would again impose on his *English* Reader, and make him believe, that the *Bohemian* Confession asserted in that Article in express Terms, *That the godly and faithful People are the Electors*. Must not this Author be exceedingly put to it; and have a



great Mind to deceive Persons into his Opinion ; I say deceive, for such a Method can never convince. His Gloss upon this Version is of a Piece with his Version, for he says there, *The Call or Election of Ministers is given to the People, not to the People in General, but to the People that are godly and believing.*

*Pudet hac opprobria nobis,  
Et dici potuisse sed nec potuisse refelli.*

He mentions the Church of France, and because he could find nothing in their Confession, he consulted their Discipline; and there, *Chap 1. Can. 6.* where indeed the Negative is given to the People; but then this seems to be but a Temporary Regulation, like these of the Church of Scotland, mentioned *Sect. 1.* for the Author of *Jus Populi*, pag. 60. owns, *That this Church was afterwards a little in the dark as to Duty here. Because the 4th National Synod desires the Pastors of Geneva to write them their Judgment about some principal Points of Church Discipline, as about the Election of Church Officers, &c.* But the Author of *Jus Populi* has great Light in this Matter, and no doubt is now consulted as the greatest Oracle in our Church. And here as to the Passages he cites from *Mornay, Lord de Plessis, Chamier, Capellus* and *Amirald*, pag. 70, 71, 33. which speak of the Suffrage, Consent and Election of the whole Church, he will be pleased to make use of the Key I have given him for understanding these. Thus I have considered all that he has advanced, from the Confessions of the Protestant Churches, excepting these of *England* and *Ireland*, who are known to be of the same Judgment. But what is the Judgment of the Church of *England*? The *Jus Populi*, pag. 64. says, It is hard to tell, and they are wiser than he that can tell. But I do not think this so difficult a Task, for *Article 23.* it is said, *We ought to judge*

judge these lawfully called and sent, which be called  
 and sent to this Work, by Men who have publick  
 Authority given unto them in the Congregation, to  
 call and send Ministers to the Lord's Vineyard.  
 Now Bishop Beveridge in his Exposition of this Ar-  
 ticle, says, That such as succeed the Apostles in the  
 Ministry, are these who have publick Authority gi-  
 ven them in the Congregation or Church. And  
 that the Congregation is here all one with the Church,  
 is to me evident, if we look to this Article as it is  
 in the *Latine*; for Bishop Burnet informs us, That  
 the 39 Articles were at the same Time prepared both  
 in *Latin* and *English*, so that both of them are equal-  
 ly Authentical. In the *Latin* it is thus, *Atque illos*  
*legittime vocatos et missos existimare debemus qui*  
*per homines quibus potestas vocandi Ministros atque*  
*mittendi in vineam Domini publice concessa est in*  
*Ecclesia co-optati fuerint et asciti in hoc opus.* Where  
 that which in the *English* Articles is called the Con-  
 gregation, is in the *Latin* ones called *Ecclesia*. And  
 as to the Practice of that Church, it is pretty well  
 known: If I can depend on my Memory, as to the  
 Bishops, 'tis after this Manner. The Prince makes  
 the Nomination of the Person, and sends a *Conge*  
*de lire* to the Dean and Chapter, who meet accord-  
 ingly, and make Choice of the Person nominated;  
 when this is done, the Election is reported or pub-  
 lished on a certain Day in the Cathedral Church,  
 and after this the Prince gives a Mandate to the  
 Metropolitan, to proceed to the Confirmation of  
 the Election. And then as to Presbyters in that  
 Church, the Patron, who is either the Prince or a  
 Subject, and this Subject is either a *Laick* or *Ec-*  
*clesiastique*, presents a sufficient Person to a vacant  
 Parish, and the Bishop is required and obliged to  
 give him Collation and Institution, and the People are  
 allowed to object and declare if they only know any  
 Impediment, why the Presentee may not be admitted  
 into



into the Ministry, and if no relevant Objection is made, the Person is ordained."

*Prof. Maresius* represents, *That the Protestant Churches are not agreed about this Right of Election.* He says, *Syst. Theol. Loc. 15. §. 64. Sed quoniam singulis Ecclesiis, &c.* But because almost every Church has an Order peculiar to it self concerning the electing and calling of her Pastors, it would be rash to prescribe any special Rule here, which all are bound to follow: And I despair of ever seeing them all agreed about it, and wish from the Heart that our Church could with Harmony and Unanimity fix upon a Method of calling Pastors to vacant Congregations. This would be very much for the Interest and Peace of the Church, and would pave the Way for abolishing Patronages, under which she now groans; but till this is done, and if we cannot agree among our selves about the Right of Election, and the Manner of exercising it, I cannot flatter my self that civil Authority will ease us of this Burden.

I shall now conclude this Performance by animadverting a little upon these Words of *Jus pop. p. 70. What Professor is he that ever wrote, and hath not owned that the People have a Right from Christ the King of Zion to choose their own Pastor?* In answer to this, I have named two already. *Page—Maresius, Professor at Groningen, Syst. Theol. Loc. 15. Not. in § 64.* 'But there is not any Thing so expressly recorded in Scripture concerning the Right and Manner of Election, as that a certain, constant and universal Rule can be proposed or established.' This only can be said for certain, That the Right of the Christian People must not be intirely abrogated. And *Professor Vitringa de Synag. vet. Lib. 3. Par. 1. Cap. 14.* says, 'That it doth not so much as appear from the History of the New Testament and the Epistles of *Paul*, that the Names of those who were to be chosen were proposed to the Church, either to be *approved* or *disapproved* by the Church,

' Church, neither can it be gathered from any certain  
 ' or plausible Argument. 2dly, I shall name to  
 him several eminent Professors of Divinity, who  
 ' maintain, that not only the Trial and Ordination,  
 ' but the Election also belongs to the Presbytery,  
 ' such as *Chemnitius*, *Maresius* and *Turretin*. See  
 their Words already cited in this Section. And to these  
 I now add, *Bucanus* Professor of Divinity at *Lausan*,  
*Instit. Theol. Loc. 42.* where he asks the Question,  
*A quibus eligi debent?* And resolves it thus, *Non ab*  
*illius ecclesie cui prospiciendum est civibus omnibus*  
*& singulis ad confusionem & ambitionem vitandam,*  
*sed ejus presbyterio, vel conjunctarum ecclesiarum*  
*doctoribus & pastoribus, i. e.* Ministers are not  
 to be elected by all and every Member of the Church,  
 that is to be provided, but by the Presbytery, or by  
 the Doctors and Pastors of the united Churches. *Cluto*  
 a Professor of Divinity at *Franecker*, *Idea Theol. Disp.*  
*44. pag. 460.* *Jus vero illud vocandi soli Deo &*  
*Christo competit, nec ei repugnat, quod postremis his*  
*Novi Testamenti temporibus ordinario regimine*  
*ecclesie constituto a presbyterio ministrorum ecclesie*  
*vocatio fiat, i. e.* The Right of Calling belongs only  
 to God and Christ; neither is it repugnant to this,  
 that in these last Times of the New Testament,  
 when the Government of the Church is established,  
 the Calling of the Ministers of the Church should  
 be by the Presbytery. Thus, according to these Di-  
 vines, the Presbytery are the proper Electors. They  
 do indeed allow to the People a Liberty of consent-  
 ing and approving; but this then can never be a Nega-  
 tive on the Presbytery; for if the *Presbytery* are the  
 Electors, have a Right to elect, and are qualified for  
 making a right Choice for the People, the People  
 ought to give their Consent according to the Opinion  
 of the Ministers of *Fife*; and the Composers of the  
 first Book of *Discipline*, chap. 4. § 4. expressly say,  
 ' We call not violent Intrusion, when the Council of  
 ' the Church (*i. e.* the Presbytery) in the Fear of  
 ' God,



‘ God, and for the Salvation of the People, offereth  
 ‘ to them a sufficient Man to instruct them, whom  
 ‘ they shall not be forced to admit before just Exa-  
 ‘ mination.’ This plainly intimates to me, that if  
 he be examined and approven, the People are  
 obliged, and ought to receive him : The People can-  
 not have a Negative on the Election of the Presby-  
 tery, for this overthrows the Presbyterian Constitu-  
 tion, in regard, that if the Presbytery should elect  
*clave errante*, the People can for Redress appeal  
 to the Provincial Synod, and from that again to a  
 National Assembly the *dernier resort* ; But if this  
 is not done, but the People has a Negative on all,  
 the beautiful Order of our Church is destroyed : The  
 People by their Renitency and Opposition cannot  
 have a Negative over the Presbytery, for the Reni-  
 tency of such as are not Members of that Court, can-  
 not derogate from or nullify the Power. It may give  
 Occasion to the Presbytery in Point of Prudence, to for-  
 bear proceeding to Ordination, as when a Council of  
 War in point of Wisdom may suspend the Execution  
 of an Order that may raise a Mutiny in the Army ;  
 but a Renitency, except upon Objections relevant  
 and verified, cannot derogate from the power, other-  
 wise a stubborn Humour and arbitrary Pleasure must  
 be an uncontrollable Law. If the people think them-  
 selves injured by a presbytery, and that no due Re-  
 gard is had to them, there no more remains, but either  
 to submit or appeal to a higher Church-court for Re-  
 dress. 3dly, I might mention a great Number of Protes-  
 tant Divines and Professors, who hold that Ministers  
 have this Right in common with the people, as *Zuinglius*  
*Polanus*, and the four Professors of *Leyden* ; *Waleus*  
 in particular says, That Ministers are the chief  
 Electors, *is competit electio maxima ex parte*. The  
 Assertions of all these I have already noticed in this  
 Section.

Thus

Thus I think I have sufficiently scattered and dispelled the Cloud of Witnesses loudly pretended to be for the peoples Right; but human Authority in this Matter is of small Consideration with me, when I can find nothing in the holy Scriptures establishing this alledged Divine Right of the People.



## A P P E N D I X.

**I**N the foregoing Treatise I have at a great Length considered the Arguments brought from Scripture for popular Elections; I have not out of Design omitted any known Proof insisted on by Writers on this Subject; but since the Author of *Jus populi*, p. 47. says, 'That others plead for the Church her Right to elect, from the Consideration of her being entrusted with the Keys of the Kingdom of Heaven, *Matth.* xvi. 19. and xviii. 17.' *Turretin Amesius*, *Owen* and others argue from this Topick, and they think the Gift of the Keys takes in a Liberty of Election on the part of Church-members, as well as the power of Ordination on the part of Ministers; and lest it may be thought that there is some Strength in it, and that I have thought fit to shift it, I shall here take it under my Examination, not doubting to convince him, that it had been more for his Credit and Reputation not to have mentioned it. 1<sup>st</sup>, He says that *Turretin* useth this Argument; but surely not for the End alledged in the *Jus populi*: For *Turretin in Theol. Elenct. Loc.* 18. *Quest.* 24. proposes the Question thus, 'Does the Right of electing and calling Pastors belong to the Bishops only, or to the whole Church?' He denies the former, but asserts the latter, *viz.* That the Right belongs to the whole Church. Now in

Q

Se<sup>t</sup>.



*Sect. 6.* as I observed already, he tells us what he means by the whole Church, *viz.* the Presbytery, Magistrates and People, and that these are the parts that compose this whole; to each of these he gives that which he thought their Due. As to the presbytery he says, 'That to them belongs formally the Ex-  
' mination, (N. B.) Election and Ordination;' He cannot therefore think, that the Gift of the Keys takes in a Liberty of Election on the Part of Church-members, since he expressly asserts, that the Election formally belongs to the presbytery. 2. When he says that *Amesius* and *Owen* argue from this Topick. I must ask him, if he knows not that these learned Doctors are Independents? And does he not know that it is their principle that Church-government is in the Hands of the people or Church-members? Is he a Stranger in our *Israel*; and knows not these Things? And is not their principles directly contrary to the *Westminster Confes. Art. 1.* where it is asserted, 'That the  
' Lord Jesus, as King and Head of his Church,  
' hath therein appointed a Government in the Hand  
' of Church-officers distinct from the civil Magistrate. And *Art. 2.* it is said, 'That to these Officers the  
' Keys of the Kingdom of Heaven are committed,  
' by virtue whereof they have power respectively to  
' retain and remit Sins; to shut that Kingdom against  
' the Impenitent, both by the Word and Censures,  
' and to open it to the penitent Sinners by the Mi-  
' nistry of the Gospel, and by Absolution from  
' Censures, as Occasion shall require;' And the above Texts are adduced for proof of this Article. What does the Author of *Jus pop.* by this Argument intend? Is he so fond of popular Elections, that he will part with an Article of the Confession which he has subscribed? Or will he adhere to the Article, and compliment away the proof: The Assembly asserts, *That the Keys are given to Church-officers*; but this Argument gives them to the people, as well as Church-officers. I think it proper  
here

here to cite a passage of Mr. *Rutherford's due Right*, p. 11. 'I think, says he, while of late, never Interpreter dreamed, that in this Text, *Mat. 16. The Keys of the Kingdom of Heaven* are given to all Believers, but only to the Stewards of the House builded upon the Rock.' This single Authority, besides that of our *Confession*, will preponderate that of *Amelius* and *Owen* in our Church. 3. Either the Author of *Jus pop.* judged this Argument probative or not; if he did, I hope I have now shown his Mistake, and have set him right, if he will have any Regard to our *Confession*, to the Assembly at *Westminster*, and to Mr. *Rutherford*; if he did not think it did conclude, why did he adduce it? Can I think he mentioned it as good enough to an illiterate Reader, that takes Things upon Trust without Examination? But was he not to have entred a Caveat here, and tell honestly his Reader not to rely upon such a proof? 4. The Keys mentioned, *Matth. xvi.* are the Keys of Doctrine, Government and Discipline? Unto which of these does he refer the Right of Election in the people? He will not be so unreasonable as to refer it to the Key of Doctrine. And as to the Key of Government, it does not belong to that by his own Acknowledgement, *Jus pop.* p. 60. The Election of a Minister is no Act of Government; What remains now, but that it pertains to the Key of Discipline? And this is what he affirms in his Queries anent the Assembly's Overture, p. 4. in these Words. 'Now the Election of Gospel Ministers is a part, and surely a very considerable part of the Policy or Discipline of the Kirk:' But how he will reduce it under the Discipline of the Kirk, as the Discipline is taken strictly, and distinguished from the Government of the Kirk, I cannot understand; he will find himself exceedingly put to it to shew this; But whether it be a very considerable part of the Discipline, or of the Government of the Kirk, I know no sound *Presbyterian* that puts a considerable part of either



of the two in the Hands of the People. In the forecited Page of the *Queries*, he refers us to *Chap. 3.* of the second Book of Discipline; but if he will read that Chapter over again with Attention and Thought, he will find that ordinary Election is not to be without the Voice of the Eldership. It indeed mentions likewise the Will, (*i. e.* the Consent of the Congregation) but as this is something less than the Voice of the *Eldership*, so I have already made it out, that this Dissent of the Congregation does not amount to a Negative. Again, If the Election of Ministers be a very considerable part of the Policy of the Kirk, it cannot, by the second Book of *Discipline*, belong to the *People*; because, *chap. 8. § 3.* of that Book, it is expressly asserted, 'That this Policy is given immediately to the Office-bearers, by whom it is exercised to the Well of the whole Body.'

The Author of the *Queries* has advanced some new Arguments, which he had not insisted on in his *Jus populi*; and because they are new and curious, I shall pay a due Regard to them. 'The Calling of Ministers is a capital Point; *ergo*, Christ hath determined who shall be the Callers and Electors? Again, The Policy of the Kirk must lean on the Word of God; and the electing of Ministers being a very considerable part of this Policy; *ergo*, the Word of God must determine who are the Electors?' This Author needed not to have given himself this Trouble; he had no more to do, but to have pointed us to Texts, where either Christ or his Apostles have made any such Determination. I have examined all the Places of Scripture he has cited; but there is no such Thing determined in them, that the People have the Right of Election of Ministers; nay, it is not so much as declared, that they did exercise this Right. The laying down Suppositions of his own making, and then his inferring from them, that Christ must have done so and so, is a Way of Reasoning

Reasoning that has no Precedent that I know of, but is peculiar to himself. The first of these Arguments we have *Quer. p. 4.* 'The Calling of Gospel Ministers (and I suppose he means Election of them; for about this the Controversy is) is not the least of the Churches privileges; so it is an Affair of great Weight and Moment, a capital Point on which the Safety of the Church dependeth, and a Concern of the last Consequence to immortal Souls; and therefore surely our Lord Jesus Christ, who was faithful in all his House, hath determined in his Word who shall be the Callers; for who shall be the Electors is not a bare Circumstance to be ordered by the Light of Nature and human prudence.' But in *p. 10.* he seems to be a little straitned about its being a capital point; for there he says, 'I am sure to determine who shall be the Callers is necessary, if not to the Being, yet to the Well-being and comfortable Being of his Church.' Now 'tis yielded that a publick Ministry is a Matter of great Weight and Moment to the Safety of the Church, and of the last consequence to immortal Souls, and that a standing Ministry must be kept up, so that when Ministers die, others must be chosen to succeed in their place; But who told him that it is necessary either for the Being or Well-being of the Church to determine who shall be the Electors? For since the Scripture has pointed out to us the necessary Qualifications of those who, thro' the Divine Blessing, shall be able Ministers of the New Testament, and Workmen that need not to be ashamed, as it hath done in the Epistles to *Timothy* and *Titus*, and elsewhere; Might not God leave this open to this, or the other Society of Men (as human prudence should guide and determine) to compare the persons and these Qualifications together, and when they find them to meet together, to elect and chuse accordingly. Will any be so assuming as to say, that it is necessary that the Scripture should determine that this should be by the people? If it is done by a presbytery or by a Kirk-session,

or



or any other Society that is sufficiently capable to judge  
 of Men and their Gifts and Doctrine, is not the Election  
 made such as shall answer these great Ends, the  
 Safety of the Church, and the Good of immortal  
 Souls? Will any Man assert, that the people are  
 more fit to chuse than a Society of learned and godly  
 pastors? Or, Will any Man say, that a pastor chosen  
 by the people is more necessary, or more fit for the  
 Safety of the Church and the Good of immortal Souls,  
 than one chosen by a Body of worthy and able Divines?  
 How does this now appear to be a capital point? An  
*articulus stantis aut cadentis ecclesie*, p. 9. 'Tis on  
 this Account that he with great Charity says, 'That pro-  
 testant Ministers are going into the Camp of Papists,  
 as to a Point of great Moment, *namely*, the per-  
 fection of the Scripture, seeing they affirm that the  
 Scripture gives no Direction as to the Calling of  
 Ministers. This is a heavy Charge, and a calumnious  
 Accusation of the Brethren, and in Opposition to it, I  
 can assure him that all the protestant Ministers maintain  
 that the Epistles to *Timothy* and *Titus* are Scripture,  
 and that they contain the Scripture Directory in the Cal-  
 ling of Ministers; and that they own the Doctrine of our  
 Confession concerning the perfection of the Scripture,  
*chap. 1. Art. 6.* That the whole Council of God  
 concerning all Things necessary for his own Glory,  
 Man's Salvation, Faith and Life, is either expressly set  
 down in Scripture, or by good and necessary Conse-  
 quence may be deduced from it; but they do not think  
 it a Matter of such Necessity who shall be the Callers,  
 whether the Presbytery or the Session, or the Heritors  
 with the Session, or *lastly*, the knowing and sensible  
 part of the Congregation. I have in this Inquiry de-  
 clared, that so far as I can understand the Scriptures,  
 I am much inclined to think that the Scriptures, as to  
 the Election of Ministers, seem chiefly to give Coun-  
 tenance to Elections by the Church Representative.  
 But tho' this is my Opinion, that this is more pro-  
 bable than any other, yet I can quietly and peace-  
 ably submit to a Directory about the planting of vacant  
 Churches,

Churches, such as that mentioned in the *Overture* of the last Assembly. The 2d Argument in the *Queries*, p. 4. is taken from an Assertion in the second Book of *Discipline*, chap. 1. par. 11. (with me it is par. 7.) 'This Power and Policy of the Kirk should lean immediately on the Word as the only Ground thereof, and should be taken from the pure Fountains of the Scriptures, the Kirk hearing the Voice of Christ, the only spiritual King, and being ruled by his Laws; but the Election of Gospel Ministers is a Part, and surely a very considerable Part of the Policy or Discipline of the Kirk. *Ergo*, this Part of the Policy must lean immediately upon the Word.' But if this Author read with Attention the Third Paragraph of that Chapter, he will find, that the Policy of the Kirk is there said to be 'An Order or Form of spiritual Government which is exercised by the Members appointed thereto by the Word of God, and therefore is given immediately to the Office-bearers, by whom it is exercised to the Well of the whole Body.' Now as to this Policy, or Form of spiritual Government, all Probationers, when licensed to preach the Gospel, and all Ministers of this Church when ordained, publicly own and acknowledge that the presbyterian Government and Discipline are founded upon the Word of God, and agreeable thereto. This is all one with the phrase, 'Leaning immediately upon the Word.' But if the Election of Ministers is a very considerable part of this policy or Form of spiritual Government, then this is immediately given to the Office-bearers by whom it is exercised to the Well of the whole Body, as it is said of this policy or Form of Government in the forecited paragraph. Again this Writer having in *Jus populi*, p. 60. asserted, That the Election of Ministers is no Act of Government. I leave it with him to consider how it can be a very considerable part of the policy or Form of spiritual Government of the Kirk.

F I N I S.



The first of these is the  
 fact that the system is  
 not a simple one. It is  
 a complex one, and it  
 is one that has been  
 developed over a long  
 period of time. It is  
 a system that has been  
 developed by a number  
 of people, and it is a  
 system that has been  
 developed in a way that  
 is not only efficient but  
 also flexible. It is a  
 system that can be  
 adapted to a wide range  
 of circumstances, and it  
 is a system that can be  
 used in a variety of  
 ways. It is a system  
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